

May 28, 2012

Mr. Anthony Herman, Esq.
Kim Collins
Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR 6573
Response to Complaint
By Email: KCollins@fec.gov

Dear Mr. Herman and Ms. Collins,

Please accept this as the response to the complaint filed by the New Mexico Republican Party.

RE: General Overview:

The above-referenced complaint filed with the FEC by the New Mexico Republican Party on May 3, 2012 is replete with knowingly false statements ("subscribed and sworn" to), unsupported allegations, and innuendo. As such it should be dismissed and the complainant sanctioned for providing false information to a federal agency.

The facts outlined below, along with supporting documents attached, clearly demonstrate the false nature of the complaint.

Especially false are the allegations of "fraud" and intentional misconduct. Independent Source PAC has at all times acted in an open, honest, and transparent manner.

Michael Corwin, the treasurer of Independent Source PAC has been in communication with the FEC (Nicole Della Rocco) regarding any issues that have arisen with our filings. The conversations with Ms. Della Rocco make it clear that Mr. Corwin is sincere in his efforts to comply with the law.

Mr. Corwin, as someone new to the federal filing process, has at times made mistakes due to not fully understanding the filing process. But, whenever those mistakes were identified by Ms. Della Rocco, Mr. Corwin immediately worked to rectify them. Mr. Corwin has filed amended filings and 48-hour notices within required times allotted by Ms. Della Rocco.

The complaint, sensationalized as it is, was filed and released to the media via a press release in an attempt to scare off potential contributors to Independent Source PAC. And to retaliate against Independent Source PAC for knocking New Mexico Governor Susana Martinez out of the Republican Party "veepstakes" in the 2012 presidential race. Because

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of the work by Independent Source PAC Governor Martinez is currently under investigation for corruption by the FBI and the New Mexico Attorney General's office.

RE: Background on Independent Source PAC:

Independent Source PAC has filed as both an independent expenditure only federal political committee and as state political committee in the state of New Mexico. All contributions and expenditures are disclosed to the public through filings with the FEC and the New Mexico Secretary of State. Independent Source PAC maintains separate bank accounts for its federal and state arms.

Our mission statement is to "To protect working families by investigating and exposing the actions, agendas, and hypocrisy of conservative candidates, elected and appointed officials and interest groups while supporting political candidates who believe that government has the ability to improve the lives of all our citizens and not just an elite few."

Michael Corwin, who founded Independent Source PAC, is an investigator with 24-years of case preparation experience. Since its inception, Independent Source PAC has often developed and broken fact-based news stories before the media.

The majority of our work involves original investigative pieces complete with supporting documents, original news articles (written by a reporter formerly of the Albuquerque Tribune and Albuquerque Journal) and editorials **all of which are disseminated for free to the public on our website at www.independentsourcepac.org.**

Independent Source PAC also prepares fact-based investigative reports complete with supporting documents that are disseminated for free to the public on our website and on Scribd (a free Internet website for sharing original documents) and a free newspaper called New Mexico's Spyglass distributed via our website. Independent Source PAC also has created mini-documentaries (4-6 minutes in length) disseminated for free over the Internet (on our website, YouTube and via email).

Independent Source PAC in February 2012 ran four television commercials on cable stations in New Mexico (erroneously listed in the complaint as five commercials). Two of the .30 second videos were initially disseminated free to the public on the Internet (YouTube and via Email) before being aired on cable television. **In the complaint the Republican Party specifically cites the YouTube versions of these videos that were disseminated for free via the Internet.**

RE: False Allegation that Independent Source PAC Conspired with CWA to Defraud the Commission by Using the Federal PAC to Bypass New Mexico Contribution Limits:

The complaint falsely asserts that New Mexico has a \$5,000 contribution limit on independent expenditure only groups. **No such cap exists.** The complaint further falsely alleges that Independent Source PAC used its federal PAC on state related expenditures to "fraudulently" bypass this non-existent \$5,000 state limit.

Though many groups use their federal committees to impact state races, **Independent Source PAC has used its federal arm to impact the presidential election and used its state arm to impact state elections.**

The complainant knows that New Mexico cannot limit contributions to independent expenditure groups. The complainant themselves asked for clarification from a federal judge who reinforced, well before the complaint was filed with the FEC, that there are no state contribution limits on independent expenditure groups.

Yet, despite its own role in clarifying that no limits exist, the complainant alleges in its complaint that such limits still exist. (This alone should cause the dismissal of the complaint and the levying of sanctions for lying to a federal agency).

We address both of these points.

New Mexico does not have a \$5,000 State Contribution Limits:

Regardless of which arm Independent Source PAC chose to fund, as an independent expenditure only group, based upon Citizens' United and other decisions, we can accept unlimited campaign contributions to either the state arm or federal arm. Prior to accepting any contributions, Independent Source PAC undertook extensive due diligence in order to determine the legality of accepting unlimited contributions at the state level as well as the federal level.

Independent Source PAC notified the FEC and the State of New Mexico that as an independent expenditure committee it planned to accept unlimited contributions. **The State of New Mexico approved Independent Source PAC as a state political committee well after it was notified in writing of our intent to accept unlimited contributions and after the state declined to address a request from Independent Source PAC for an advisory opinion specific to accepting unlimited contributions.**

The complaint erroneously states that Independent Source PAC was registered with the FEC on January 23, 2012. As the attached email from Myles Martin shows, **Independent Source PAC registered with the FEC on June 20, 2011. Michael Corwin later replaced Shane Youtz, a busy attorney, as treasurer. (See attached email #1).**

Independent Source PAC submitted a Form 1, Statement of Organization-Unlimited Contributions with its registration paperwork permitting our federal arm to accept unlimited contributions.

Independent Source PAC notified the New Mexico Secretary of State and the New Mexico Attorney General's office in writing in May 2011, that we intended to function as an independent expenditure state PAC as well as federal PAC and would accept unlimited contributions.

Efforts to Obtain an Advisory Opinion as to Any Legal Basis for State Law to Contravene the US Supreme Court Ruling in Citizens' United:

New Mexico, which has a part-time unpaid legislature, failed to update its campaign contribution limit law following the United States Supreme Courts' Citizens' United decision that government had no countervailing interest to restrict the free speech of independent expenditure groups.

New Mexico has yet to comply with the US Supreme Court ruling by carving out a separate category for independent expenditure groups. But both the New Mexico legislature and the New Mexico attorney general acknowledge (without addressing legislatively) that there is a difference between independent expenditure only groups and those who contribute directly to candidates and party committees.

In an advisory opinion 10-03 dated November 10, 2010, Attorney General Gary King acknowledged that there is a difference between direct and independent expenditures, *"Under the Campaign Reporting Act, an expenditure made by a person separately and independently of a candidate, even for a political purpose, is not without more, a contribution to a candidate."* (See Answer # 4 on Opinion No. 10-03 ¶ 2).

Since New Mexico campaign law was silent as to independent expenditure groups we sought an opinion from the New Mexico Secretary of State and the New Mexico Attorney General on the legality of the \$5000 cap. We did so prior to forming Independent Source PAC.

On May 12, 2011, Michael Corwin submitted an email to New Mexico Secretary of State Dianna Duran, *"attached please find a request for an opinion on whether an independent expenditure group may collect unlimited contributions despite the 5K cap on contributions to PAC's and Campaign Committees. Thanks."* (See attached email #3).

Attached to the email was a letter dated May 6, 2011 address to Secretary of State Duran and to New Mexico Attorney General Gary King entitled "RE: Request for Advisory Opinion." A copy of the letter was also hand-delivered to the New Mexico Attorney General's office.

The letter states, *"Independent Source PAC" ("Committee) plans to register with the FEC as a 527 and with the New Mexico Secretary of State's Office as a political committee.*

We plan to solicit and accept unlimited contributions from individuals, political committees, corporations and labor organizations to fund independent expenditures."

We then asked for an advisory opinion on whether this was permissible.

"We ask for the advisory opinion as to whether the Citizens United v. FEC, and the SpeechNow v. FEC decisions along with the FEC Advisory Opinion 2010-11 Commonsense Ten invalidate the \$5000 contribution limit to a political committee outlined in the Campaign Reporting Act as amended by the 2009 Senate Bill 116, which took effect November 2010 when the political committee is an independent expenditure only committee rather than a committee that makes direct contributions to candidates and party committees." (See request for advisory opinion #4).

The letter laid out the legal arguments as to why such a cap was no longer legally permissible and stated, *"Without the only countervailing interest that permitted government to restrict the free speech (limit contributions) of independent expenditures only committees, there is no lawful basis to restrict unlimited contributions from individuals, political committees, corporations and labor organizations."*

The New Mexico Attorney General's office responded that it could only issue an opinion if asked by a government official.

Therefore, on May 17, 2011 Michael Corwin submitted a follow-up email to NM Secretary of State Duran, *"according to the New Mexico Attorney General's office, they may only issue an advisory opinion upon a request from an elected official. Since the nature of our request is likely to be relevant to a number of groups in New Mexico and since your office is in charge of enforcement of the Campaign Act limits, it makes sense for you, as an elected official, to ask the Attorney General for an advisory opinion on this issue."*

Also, since we are prepared to move forward but want to do so within the confines of the law, we would ask that you make the request for an advisory opinion to the Attorney General within ten days (10) of the receipt of the email. Since it appears based upon our research that the contribution limit is unconstitutional when applied to Independent Expenditure Only PACs/527s, we will construe any failure to request an advisory opinion as acceptance of our position." (See attached email #5).

On May 19, 2011, Secretary of State Duran's office prepared a letter addressed to Attorney General King that was worded as a request for legal opinion on whether the \$5,000 cap applied to independent expenditure groups. However, the letter was never signed by Secretary of State Duran and was never sent to Attorney General King. (See attached letter dated May 19, 2011 on Secretary of State letterhead #6).

Therefore no advisory opinion request was prepared and no information provided by state officials that contravened that the Citizens' United ruling was now the law of the land.

At no time was Independent Source PAC notified by either the SOS or the AG that the \$5000 cap applied to independent expenditure groups. Based upon the free speech ruling of Citizens' United (states may not restrict a federal right when the federal government may not) and the lack of response to our official notice to collect unlimited contributions Independent Source PAC was lawfully allowed to accept unlimited contributions for its state arm as well as its federal arm.

On June 30, 2011, Independent Source PAC registered as an "Independent Expenditure Organization" with the New Mexico Secretary of State (See attached registration form #7).

Hypocrisy of Complainant who Filed for an Injunction against the State Limits Citing that the State May Not Contravene the US Supreme Court:

Ironically, the complainants in this matter filed a lawsuit seeking to prevent enforcement of the \$5,000 limits on Republican independent expenditure groups and prevailed. This blatant hypocrisy was reported by the Albuquerque Journal who criticized the complainants for filing the complaint against Independent Source PAC accusing us of dodging state limits on contributions. The Journal (a fairly Republican leaning newspaper) wrote, "memo to the state GOP: There are no limits, thanks in part to you and your allies." (See the attached article #8).

Clearly the complainants knew at the time of filing their complaint to the FEC that there are no contribution limits on independent expenditure groups in New Mexico, but chose intentionally to allege in the complaint to the FEC that such limits exist.

Their lawsuit reiterated the same legal arguments used in our request for advisory opinion that since the Citizens' United decision New Mexico cannot apply the limits (restrict free speech) to any independent expenditure group either federal or state.

In response to the Republican lawsuit, New Mexico Secretary of State Duran (who chose to not request the advisory opinion that we asked for and was a defendant in the NM Republican Party lawsuit) countered. She supported the GOP's request for an injunction, "it appears that an injunction is in the public interest given the nature of the constitutional claims Plaintiffs allege in this lawsuit and the recent decision by the United States Supreme Court in Citizens United vs. FEC, 130 S. Ct. 876, 895 (2010)". (See attached filing #9).

Thus the Secretary of State (the state's chief election official) acknowledged that the Citizens United ruling abrogated the state's \$5,000 cap on contributions to independent expenditure groups.

In the New Mexico Republican Party's lawsuit, US District Court Judge Johnson also made clear that no such limits can apply following Citizens' United clear cut first amendment ruling, "therefore, New Mexico does not have an anti-corruption

interest capable of justifying contribution limits if those contributions are to be used exclusively for independent expenditures”.

Therefore, ***“the contribution limits in the Act are unconstitutional.”*** (See #10).

The unconstitutionality of the state's contribution limits began not with Judge Johnson's ruling, but with the Supreme Court's ruling in Citizens' United. Therefore, there has been no \$5,000 limit on independent expenditure groups in New Mexico since the day the Supreme Court, who makes the law of the land regarding free speech, ruled.

To reiterate: The complainant's assertion that a \$5,000 limit existed is **knowingly false**. Further, as the documents show, Independent Source PAC made every effort to notify the state that it intended to collect unlimited contributions and to obtain an opinion from the state of New Mexico long before accepting funds in excess of \$5,000. Despite these efforts no election official contradicted our statement that limits on independent expenditure groups was unconstitutional.

Complaints False Assertions Regarding Contributions:

The complaint makes numerous false assertions regarding the contributions received from CWA.

The complaint erroneously asserts ***“Independent Source PAC” is wholly funded by the Communications Workers of America (“CWA”)“***. While CWA contributed the vast majority of funding to Independent Source PAC, it is not the sole source of funding for Independent Source PAC. This information was readily available to the Republican Party of New Mexico should it have bothered to check.

Independent Source PAC has received contributions to both its federal and state arms from individuals and businesses completely unrelated to CWA.

The reporting period covering 7/1/11-9/30/11, when Independent Source PAC first started up, the sole contribution was from MCML for \$2,000. MCML is a catastrophic injury law firm. (It should be noted that the Republicans attacked that contribution too.)

Independent Source PAC's state arm has received contributions from 12 contributors not affiliated with CWA.

Independent Source PAC is not a wholly owned subsidiary of CWA. Independent Source PAC's work is dictated entirely by those in Independent Source PAC. We are not an arm of CWA.

Independent Source PAC paid considerable money to a “professional fundraiser” for the purpose of raising funds from as many sources as possible. Unfortunately, this fundraiser failed to raise any funds despite the money paid to her.

The complainant falsely states, "that the federal PAC's focus is now on "unseating conservative state legislators." All efforts to "unseat" state legislators are being funded through the Independent Source PAC's state arm. In fact the Journal article referenced above mentions that Independent Source PAC is using our state arm in state legislative races.

Our state campaign reports filed with the New Mexico Secretary of State also confirm the use of our state arm in state races.

Knocking Susana Martinez Out of Running for VP Provides a Clear Benefit to the Re-Election Efforts of President Obama and Vice President Biden:

The complaint alleges that our four commercials (erroneously numbered as five) do not pertain in any way to candidates running for federal office or to federal issues. And do not benefit President Obama's re-election campaign as we have designated in our reports.

Again, the complainants specifically cited in the complaint the free Internet distribution YouTube versions as their source for information rather than the actual television commercials themselves.

The complaint falsely states that Martinez is "not running for Vice President". However, Martinez very clearly is in the running for vice president. The complaint ignores the fact that there is no primary for vice president. Instead those who wish to be vice president audition for the role. There is a clear benefit to an incumbent president and vice president when actions are taken to keep potentially formidable vice presidents off of the ballot.

Libertarian Presidential Candidate Focuses on Martinez on Campaign Trail:

Independent Source PAC is not alone in focusing on Martinez and her role in altering the dynamic of the presidential election. In fact, a presidential candidate is doing that too. Current Libertarian presidential nominee, Gary Johnson, (who initially ran in the Republican presidential primary) has targeted Martinez in presidential candidate appearances and in the national media as part of his national election strategy.

Johnson's aim has been to keep her off of the ballot in order to increase his own chances:

Libertarian presidential candidate Johnson told Politico, "Mitt Romney may be able to win New Mexico if he chooses Gov. Susana Martinez as his running mate." (See article entitled Libertarian Gary Johnson-Mitt Romney can win New Mexico if he puts Susana Martinez on the ticket --#11).

Just as Independent Source PAC has done, presidential candidate Johnson has targeted Martinez's efforts to repeal drivers' licenses for illegal immigrants and to challenge her positions on immigration reform.

"Former New Mexico governor and Libertarian presidential candidate Gary Johnson is slamming successor Susana Martinez for being too tough on illegal immigrants.

Johnson said this week while campaigning in Las Vegas (NV) that Martinez's efforts to make it difficult for immigrants to live illegally in the United States isn't wise policy." (See article Ex. Gov. Johnson slams Gov. Martinez on Immigration #12).

A presidential candidate as part of his campaign has heaped criticism on Martinez in recognition of the fact that her presence on the ballot in New Mexico may cause Obama/Biden to lose here. The benefit to the Obama/Biden ticket in keeping Martinez off of the GOP ticket is clear-cut.

Efforts to Secure Martinez's Place on the GOP Ticket:

Governor Susana Martinez and her political team made a concerted effort to position her as a vice president who can bring increase Republican support from Hispanics and Women. Even if they are unable to get her onto the ballot, Martinez is still considered a national point person for driving Hispanic voters to support the Republican presidential candidate.

Key Martinez political advisor, Nicole McCleskey (wife of Martinez political guru Jay McCleskey) wrote an article on 9/14/11, "As Obama falters are Hispanics an opportunity for GOP?" where she wrote *"in 2010, individual Republican candidates proved that they could win significant shares of the Hispanic vote, but the GOP has yet to change the overall brand."* (See article #13).

McCleskey followed up with an article entitled "Hispanic Outreach in 2012" dated 1/17/12 specifically touting Martinez's success with Hispanic voters.

"Governor Susana Martinez of New Mexico today boasts a 65% approval rating statewide. Her job approval rating among Hispanic voters (62%) nearly matches that among white voters (68%).

But it wasn't always this way... in 2010, then-candidate Martinez fought for the Hispanic vote. Throughout the election, Hispanic women were particularly difficult to attract with their stronger Democrat leanings, but persistence and sincere messaging won out. Martinez ended up carrying 41% of the Hispanic vote, compared to the 31% of McCain just two years earlier.

What is noteworthy is how her support has grown since she has taken office...

Today, 60% of Hispanic men and 64% of Hispanic women approve of the job Martinez is doing as governor. She didn't get their votes simply because she shared their cultural identity. But she did earn their respect and support once elected."

McCleskey closed with these two snippets.

"If Republicans want to earn the votes of Hispanics, then we must elect Hispanic leaders to set the example."

"...for doing what really matters...electing Republican Hispanic candidates who can be role models and future leaders of this country." (See attached article #14).

Her political team's efforts focused on her being the first female, Hispanic governor in the country, who polls well among Hispanics (touted as the key to the presidential race) and women. Therefore, she is uniquely positioned to the same on the national ticket. Since the GOP has trouble winning support from both Hispanics and women.

They then worked with Jeb Bush and other national Republicans to position her for greater national exposure as the person who can bring Hispanics to the GOP.

"The latest GOP effort will come this weekend at the Hispanic Leadership Network's (HLN) Southwest conference in Albuquerque, NM. The conference will bring together Latino Republican policymakers and elected officials, such as New Mexico Gov. Susana Martinez, to discuss issues such as jobs, housing, healthcare and immigration." (See attached Univision article "Republicans aggressively courting Latino vote" #15).

"Conservatives know that Hispanics are an important voting bloc". (See same article).

National Republicans have touted the fact that Martinez won over 40% of the Hispanic vote in winning the New Mexico Governor's race in 2010. By all national political assessments, the GOP ticket must win 40% of the Hispanic vote to win the election. (Hence the reference by McCleskey to McCain's attracting only 31% of Hispanic vote when he ran against Obama in 2008 versus Martinez earning 41%).

Here is just a sampling of news articles on Martinez as a top tier vice presidential pick and as a key figure to draw Hispanic votes to the GOP who can impact the 2012 presidential race.

"Short-listier watch: Martinez approval strong" (Politico 12/21/11)- "Two polls this week show New Mexico Gov. Susana Martinez, a first-term Republican who has drawn interest as a reform-minded Hispanic conservative, in strong and maybe even veep-worthy political condition." (See attached article #16).

"Veepstakes speculation heats up" (Politico 8/18/11)- complete with photo of Martinez at lead of article. (See attached coversheet #17).

"GOP Loves Look of VP Field" (Politico 2/8/11)- complete with photo of Martinez at lead of the article. "From its highest levels to the grass roots, the GOP is buzzing over Marco, Bobby and Susana." (See attached coversheet #18).

Top 10 breakout stars of 2010 (Politico 12/13/10)- complete with photo of Martinez at lead of article. *"Now from her perch in the Southwest, Martinez is poised to be one of her party's leading voices on immigration and could play a significant role in courting Hispanic voters in a key region in 2012, as the GOP works to take back many of the Mountain West states Obama captured in 2008."* (See attached article #19).

As seen by the dates shown, this effort to position Martinez as a top tier vice presidential pick began long before we ran any commercials.

Romney Identifies Martinez as a Good Vice Presidential Choice:

Mitt Romney, the Republican nominee for president (though in theory he has not been nominated yet and by the complainants logic should not be targeted in ads by independent groups because he has yet to be nominated) has called Martinez a good choice for vice president in national televised presidential debates (for the first time on 1/26/12 in Las Vegas, NV CNN debate) as well as in television appearances and interviews with reporters.

"Mitt Romney Drops Susana Martinez's Name while Talking Veep" (Fox News Latino 1/23/12). *"New Mexico Gov. Susana Martinez has joined the list of politicians named as potential vice presidential candidates, but who say they are not interested in the job."*

Former Massachusetts Gov. Mitt Romney dropped the first-term Republican governor's name Friday during an interview on Fox News." (See attached article #20).

"Washington Post Politics on Governor Susana Martinez"- Why she matters: *"The first Latino woman to be elected governor in the United States, Martinez is rapidly becoming an important national star for a Republican Party lacking in diversity. She is New Mexico's first female governor and her name is in the mix as a possible vice-presidential nominee in 2012."* (See attached article #21).

"GOP VP Possibilities: How About a Woman from Out West" (Huff Post Politics 2/29/12). *"Martinez is from a normally Democratic state. She is a Hispanic with a tough law and order image. She is from out west. She seems to be in step with the conservatives of the GOP on the key social issues of the day. Her tough image may be what the Republicans are looking for in 2012. She certainly has to be better than their 2008 VP choice."* (See attached article #22).

"Pollster: Latinos Are Key to GOP Winning White House" (Real Clear Politics 3/8/12). *"Polling aside, Ayers believes Republicans have a tool this year that they didn't have before: Latino leaders in the party, such as Florida Sen. Marco Rubio, New Mexico Gov. Susana Martinez and Nevada Gov. Brian Sandoval."* (See attached article #23).

"Why Governor Susana Martinez Needs to Be Romney's Pick for Vice President; Why a Working Class Hispanic Woman can Restore the National Republican Party" (Las Vegas Daily Times 4/10/12). *"By choosing a Hispanic woman, Romney takes care of both*

issues while showing a different side to his robotic persona" and "a Hispanic working class woman selected for Vice President would change the game, for the better." (See attached article #24).

"Veepstakes: How much does the Hispanic vote really matter" (Western Free Press 4/20/12). *"Republican strategists say that whomever Romney picks, the selection has to resonate with Hispanic voters. Sen. Marco Rubio (R-Fl.) is by far the leading Hispanic candidate for Romney, but there are others. They include New Mexico Gov. Susana Martinez, Nevada Gov. Brian Sandoval and Fortuno."* (See attached article #25).

"Vice President: Susana Martínez" (Town Hall.com 4/30/12). *"Why should the GOP nominee choose New Mexico Gov. Susana Martinez as a running mate? For starters, there are voter demographics: She is the first Latina to ever be elected governor in the United States. In the past few election cycles, the Republican ticket has struggled to garner both the Hispanic and women's vote. Martinez would appeal to those voters in addition to the conservative base and independents, and her nomination would throw the race card out the window."* (See attached article #26).

"Susana Martinez: What new Mexico's Governor Can Teach the GOP: Why the country's first Latina governor might be Mitt's best veep pick" (Newsweek Daily Beast 5/14/12). *"At this point, the buzz for Martinez is still building: The Washington Post recently ranked her fifth on the veepstakes list."*

(This article does mention our work targeting her pay to play corruption on "Martinez's record is not without the usual oppo-research fodder. New Mexico progressives accuse her of awarding casino contracts...to campaign donors". Martinez is now under FBI investigation for her actions regarding this contract. —See page 5 of the attached article #27).

Romney has done a remarkable job during the Republican primary of alienating both Hispanics and female voters. As such Martinez when taken at face value offers the opportunity to increase Republican support from both sets of electorate.

As recently as May 15, articles have continued to appear with titles such as "VP Buzz still Surrounds New Mexico Governor Susana Martinez." NPR News reported on May 23, 2012, *"The Republican National Convention is still three months away, and the guessing continues about whom Mitt Romney, the presumptive nominee, might pick as his running mate. Former Minnesota governor Tim Pawlenty and current New Mexico Gov. Susana Martinez both make some short lists."*

We have mentioned but a few of the many articles touting Martinez's possibility of joining the presidential ticket and the benefits that would provide Romney at President Obama's expense. But, in terms of sheer volume here are some quick statistics:

A Google search of Romney + Susana Martinez + vice president yields 106, 000 results in .27 seconds.

A Google search of Susana Martinez vice president yields 94,700 results in .14 seconds.

A Google search of Susana Martinez Hispanic vote yields 89,900 results in .32 seconds.

All of Independent Source PAC's Ads Pertained to Federal Issues that Are Raised During a Presidential Election:

All four ads aired by Independent Source PAC and listed in our 48-hour reports (as well as Schedule E) tackled subjects raised in the presidential debates and which impact federal office holders: Education (2 ads), immigration reform, and corruption.

Jeb Bush, the founder of the previously mentioned Hispanic Leadership Network, a group dedicated to increasing the Republican vote among Hispanics, selected Martinez as the keynote speaker for the group's national convention. (See attached article #28).

Bush, in a 1/25/12 Washington Post editorial entitled "Four ways Republicans can win Hispanics back" identified education as a top issue to convince Hispanics to vote for the Republican presidential ticket. Martinez has adopted the national "education reform" agenda that has been endorsed by Romney and Republicans throughout the country. (See attached editorial).

"Third, we should press for an overhaul of our education system. Republicans have the field to themselves on this issue. Teachers unions and education bureaucrats have blocked Democrats from serious reform it will happen only with Republican political leadership. But, we have to move beyond simplistic plans to 'get rid of the Department of Education' and focus on substantive, broad-based reform that includes school choice, robust accountability for underperforming schools and the elimination of social promotion, in which kids are passed along without mastering grade-level skills. Such improvements, it was noted in 2009, plus efforts to embrace digital learning, helped Hispanic students in Florida lead the nation among their peers. And Hispanic voters, who often feel their children are trapped in failing schools, notice. (The bold added for emphasis specifically relates to the topics of the two education commercials we ran and listed as independent expenditures). (Also article #29).

Independent Source PACs ads targeted the national education reform agenda that Martinez advances. Martinez has sent out mailers linking her education reform efforts to President Obama claiming that the Obama approves of her agenda. (See attached mailer #30).

Martinez recently was quoted by the national media following her criticism of Romney's self-deportation comments related to illegal immigration that appeared in the Newsweek Daily Beast article mentioned above. Martinez clearly has adopted the role of trying to soften the anti-immigrant positions Romney staked out during the primary to make them more palatable to Hispanics.

The complainants appear to have amnesia as to the alleged involvement of New Mexico governors in corruption and how that issue can affect their efforts to hold national office.

Former New Mexico Republican Party Chairman, Harvey Yates, Jr. wrote an editorial regarding then Governor Bill Richardson and allegations of corruption after Richardson was nominated by President Obama to be the Commerce Secretary. (See attached editorial #31).

"He chose well for his Commerce secretary. Commerce is so well positioned to squeeze and cajole business. Unfortunately, what likely made Richardson right for the Commerce Department also may make him right for an indictment. Timing is everything they say."

Yates further attacked the sitting governor and potential cabinet secretary with *"will investigation of corruption in this state will cause his departure."*

Although Richardson to this day has never been charged with any crime, the alleged New Mexico corruption investigations caused Richardson to withdraw from the Commerce Department nomination. (See article #32).

After Governor Richardson withdrew from the cabinet nomination, the complainants wrote, *"The Republican Party of New Mexico commends the FBI and the US Attorney's office for their work. Like the rest of the country, we are waiting to see what comes of the investigation into Bill Richardson's administration."* (See attached #33).

Thanks to Independent Source PACs deep investigation into Martinez's corrupt handling of a contract worth a billion dollars to her contributors as featured in our advertisement on corruption, Martinez is now under federal investigation for her pay to play in her role awarding a contract worth a billion dollars to contributors.

Ultimately, it is this investigation more than anything else that will eliminate Susana Martinez for contention to be the Republican vice president candidate and as the national figure to drive Hispanic voters to the GOP.

The benefit of her departure is clearly of benefit to President Obama and Vice president Biden.

RE: 48-Hour Reports:

Upon being notified by the FEC of the missing 48-hour reports, I called the FEC and spoke to Ms. Della Rocco and learned that I had misunderstood when the reports needed to be filed. This was due to my inexperience in filing federal filings not to any attempt to violate the law.

The filings contained full documentation of each expenditure, but not the 48-hour filing because of my misunderstanding of when the 48-hour filing needed to be made. There was no effort made to hide any of the expenditures.

I erroneously thought the 48-hour filings pertained to advertisements within 48 hours of an election. I fully accept responsibility for the mistake in not filing and corrected the mistake by filing once Ms. Della Rocco cleared up the misunderstanding.

48-hour reports were filed upon notice that they had not been filed and will be filed as required from that point onward. It should be noted that the FEC recognizes that a prompt response to the notice of the failure to file a 48-hour report is a mitigating factor.

The complaint ignores the fact that the 48-hour reports were filed and that we were in contact with the FEC regarding this subject once notified of the requirement to file. This clearly demonstrates our desire to work in compliance with the FEC.

It should also be noted that the cable television buy in totaled \$12,884.94 (2 each at \$6,442.47) exceeding the \$10,000 threshold by \$2,884.94. This was included in the 1/1/2012-3/31/2012 Form 3X Schedule E and the late filed, but filed 48-hour notice for that time period.

We also submitted a 48-hour report at the same time for radio expenditures during the last three months of 2011. Again, there was no effort to hide or mislead the FEC. All the expenditures were included in the Schedule E.

Recently Ms. Della Rocco requested that I amend the 48-hour report, I only included the expenditure that exceeded the \$10,000 limit rather than both expenditures that were included in Schedule E. This was recently brought to my attention by Ms. Della Rocco and will be remedied via an amended filing.

It should be noted that the independent expenditures were all included in the Schedule E filings. As to the \$190,000 that the complainant alleges in the complaint to be independent expenditures the number is fiction and not based on actuality.

As previously stated the vast amount of our efforts are devoted to research and information distributed for free on the Internet. The FEC recognizes that such actions are neither "public communications" nor independent expenditures.

Those who work with Independent Source PAC perform a wide variety of assignments in any given day. Claiming all work done by Independent Source PAC shows further willingness on the part of the complainant to provide knowingly false information to a federal agency.

RE: Disclosures:

The complainants allege that the five videos they transcribed from YouTube (free internet distribution) and therefore not public communication by definition bear incomplete disclosures.

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Of the four commercials aired two of the commercials, one on education, one on public corruption comply fully with the FEC requirements, including visuals of paid for by, not associated with any candidate or committee and the website address. They also include the verbal notice of paid for by.

Two videos may fall short of the written disclosures. These were the first two that we made (all videos were done in house—we wear many different hats on a given day) and were initially meant to be free Internet distribution videos on YouTube and sent to supporters by email. However, a decision was later made to run them as cable ads. It appears that in the rush to get them on air that we did not go back and rework the paid for by panel.

The ads do say paid for by Independent Source PAC verbally and contain the website address.

I accept responsibility for not updating the panels to include the full disclosure and apologize for this oversight.

RE: Conclusion:

The vast majority of the complaint by the Republican Party of New Mexico is plain and simply false. They attacked the messenger for being effective. They hoped by smearing us to suppress future fundraising.

The sheer number of false statements by the complainant “subscribed and sworn” cannot be ignored.

The complaint is about revenge, because their hopes of seeing Susana Martinez become vice president have been dashed due to our exposing her in corrupt pay to play conduct and in succeeding in getting a criminal investigation of her conduct.

The FEC has been aware of and understanding of the learning curve that I as a first time treasurer have been working through. I have been in regular contact with the FEC to correct any mistakes made and have been responsive to the FEC whenever an issue has been raised.

Thank you for the opportunity to set the record straight.

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 28th day of May, 2012 in Albuquerque, New Mexico.



Michael Corwin
Treasurer, Independent Source PAC

#2

4. Under the Campaign Reporting Act, if a person spends money for a political purpose related to a candidate but does not coordinate that spending with a candidate, does that spending qualify as an in-kind contribution to the candidate?

The Campaign Reporting Act defines "contribution," in pertinent part, as "a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made or received for a political purpose...." NMSA 1978, § 1-19-26(F). An "expenditure is "a payment, transfer or distribution or obligation or promise to pay, transfer or distribute any money or other thing of value for a political purpose." Id. § 1-19-26(J). A contribution or an expenditure is "for a political purpose" if it is made "to influence or attempt to influence an election." Id. § 1-19-26(M). The Campaign Reporting Act requires a candidate and other "reporting individuals" to file reports of expenditures made and contributions received. Id. § 1-19-29.

For purposes of this opinion, we assume the question above concerns what are often referred to as "independent expenditures." Under the Campaign Reporting Act, an expenditure made by a person separately and independently of a candidate, even for a political purpose, is not, without more, a contribution to a candidate. If, however, the person gives the goods, services or other product of the expenditure to the candidate, the product will constitute an in-kind contribution. For example, a public opinion poll that is paid for independently and later given to the candidate for his or her use would constitute an in-kind contribution, the "estimated value" of which would be used for purposes of complying with the Act's reporting requirements and contribution limits.

5. Would contributions to the RPNM in excess of the various contribution limits in the Campaign Reporting Act subject the contributor and the RPNM to criminal penalties or sanctions? Under the Campaign Reporting Act, would the state be required to demonstrate that the purpose of the contribution was to circumvent the Campaign Reporting Act?

Section 1-19-36 of the Campaign Reporting Act provides:

Any person who knowingly and willfully violates any provision of the Campaign Reporting Act is guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than one year or both.

13044330434

#7

Office of the Secretary of State
State of New Mexico
Ethics Administration
325 Don Gaspar Suite 310
Santa Fe, NM 87503
Telephone: 800-477-3632 or 505-827-3600
Fax: 505-827-4954

RECEIVED
Office of
Secretary of State

2011 JUN 30 AM 11:18

2011 Rec# 476978

POLITICAL COMMITTEE REGISTRATION FORM

The *Campaign Reporting Act* defines a political committee, in general, to mean two or more persons other than a candidate's campaign committee who are selected, appointed, chosen, associated, organized or operated primarily for a political purpose that is, to influence or attempt to influence an election. The term *political committee* includes political action committees and similar organizations composed of employees or members of any corporation, labor organization, trade or professional association or any other similar group that raises, collects, expends or contributes money or any other thing of value for a political purpose.

The law also requires that political committees register with the Secretary of State within ten days of receiving or spending more than \$500.00 in a calendar year. A one time registration fee of \$50.00 is required. If the political committee does not receive or spend more than \$500.00 in a calendar year, then it is not required to register or file reports of contributions and expenditures.

1. a. INDEPENDENT SOURCE PAC
(Full name of Political Committee)
- b. 11024 MONTGOMERY BLVD NE #12B
(P.O. Box or Street Address)
- c. ALBUQUERQUE, NM 87111
(City, State, Zip) (Telephone #) (Email Address)

2. Statement of Purpose (Provide specific purpose for which the Political Committee was organized)

INDEPENDENT EXPENDITURE ORGANIZATION TO
ADVANCE POLITICAL THOUGHT ON CANDIDATES AND ISSUES

3. Associated organization or entity:

- a. N/A
(Full name of associated entity or organization, if any)
- b. _____
(P.O. Box or Street Address)
- c. _____
(City, State, Zip) (Telephone #) (Email Address)
- d. _____
(Relationship of this entity to Political Committee)

13044330435

4. Bank Information: (NOTE: Financial institution must be located in the State of New Mexico)

a. WELLS FARGO

(Full name of bank and/or financial institution)

b. _____

(P.O. Box or Street Address)

c. ALBUQUERQUE, NM

(City, State, Zip)

(Telephone #)

5. Officers:

MICHAEL CORWIN

DIRECTOR

(Full name of officer and position held)

11024 MONTGOMERY BLVD. NE #128

(P.O. Box or Street Address)

ALBUQUERQUE, NM 87111

(City, State, Zip)

(505) 250-0244

(Telephone #)

(Email Address)

SHANE YORTZ

TREASURER

(Full name of officer and position held)

900 GOLD AVE SW

(P.O. Box or Street Address)

ALBUQUERQUE, NM ~~87111~~ 87102 505.244.1200

(City, State, Zip)

(Telephone #)

(Email Address)

LAURA LEVIN

ASSISTANT TREASURER

(Full name of officer and position held)

11024 MONTGOMERY BLVD. NE #128

(P.O. Box or Street Address)

ALBUQUERQUE, NM 87111

(City, State, Zip)

(505) 250-0244

(Telephone #)

(Email Address)

CERTIFICATION

I hereby swear or affirm under penalty of law that all the information on this form is true, correct and complete to the best of my knowledge.

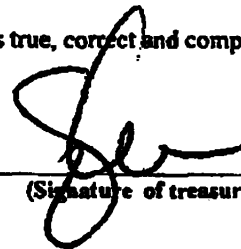
Attested this

13th

day of

JUNE

, 2011.



(Signature of treasurer)

(SEAL)

NOTARY INFORMATION

State of New Mexico

County of Santa Fe

Signed or attested before me this 13th day of JUNE, 2011, by Shane Yortz


Notary Public (Signature of notarial officer)

My commission expires: 12/24/12

13044330436

#8

abqjournal.com <http://www.abqjournal.com/main/2012/05/09/news/republicans-helped-set-rules-for-super-pacs.html>

Republicans Helped Set Rules for Super PACs

Last week, the New Mexico Republican Party accused a union-funded super PAC of dodging state limits on the size of contributions to such political committees.

Memo to the state GOP: There are no limits, thanks in part to you and your allies.

Thomas J. Cole



UPFRONT

U.S. District Judge William P. Johnson in January barred the state from enforcing limits on contributions to political committees when the money is going to be spent independently of candidates. Super PACs are independent expenditure-only committees.

Johnson's ruling was the result of a lawsuit brought by the New Mexico Republican Party and others on the right as part of a state and national assault on campaign-finance restrictions.

The lead attorney was Jaines Bopp of Indiana, a member of the Republican National Committee and the lawyer who brought the landmark case by Citizens United, a nonprofit corporation that was blocked from airing a movie critical of Democrat Hillary Clinton during the 2008 presidential primaries.

In Citizens United, the U.S. Supreme Court in 2010 freed corporations, unions and others to spend as much as they want on elections as long they do so independently of candidates.

The Republican legal attack on campaign-finance laws is rooted in the free speech guarantee of the First Amendment to the U.S. Constitution.

In New Mexico, Republicans also have been successful in weakening the state limits on the size of contributions to candidates and likely will succeed in their lawsuit over some public financing of campaigns.

The target last week of the state Republican Party was Independent Source PAC of Albuquerque.

Independent Source PAC is both a federal political committee and a state committee, with separate accounts.

It is an independent expenditure-only committee, or super PAC, at both levels, meaning it is prohibited from spending money in coordination with candidates and isn't subject to state or federal limits on the size of contributions it collects.

The sole contributor to the Independent Source federal committee is the Communications Workers of America, which has donated \$190,000. Contributions to the state committee total less than \$12,000, much of that coming from lawyers.

The CWA gave the money to the federal committee after the Citizens United decision by the Supreme Court but before Judge Johnson's ruling on state contributions to super PACs.

Johnson's ruling was expected, given Citizens United and a federal appeals court decision in 2010 that it is unconstitutional to limit contributions to independent expenditure-only committees.

Super PACs were being formed at the federal level by January 2011.

The chief beef of the state GOP with Independent Source PAC seems to be that it has spent money from the federal committee attacking Republican Gov. Susana Martinez but reporting to the Federal Elections Commission that the money was used in support of President Barack Obama.

Independent Source PAC "committed the fraud in order to avoid New Mexico state laws, which places limits on PACs engaged in these activities at the state level," the Republican Party said in a news release.

But because of the federal court decisions in 2010, the Communications Workers of America could have given the \$190,000 to the state committee of Independent Source PAC without much threat of a legal challenge.

Also, there is nothing in federal law that prohibits Independent Source PAC from spending the \$190,000 to influence state elections.

The PAC already has transferred \$5,000 from its federal committee to its state committee, and it has taken sides in a Democratic primary race for the New Mexico House, attacking the opponent of Rep. Sheryl Williams Stapleton, D-Albuquerque.

Independent Source PAC says the charges by the Republican Party are frivolous.

The PAC says Martinez could impact the presidential election as a vice presidential nominee or as a vote-getter for the GOP ticket among Hispanics. Therefore, the PAC says, its criticism of her is in support of Obama.

Independent Source PAC does admit to some errors in filing reports with the Federal Election Commission.

The super PAC does need to play by the rules for groups like it. Just remember the GOP helped create them.

UpFront is a daily front-page news and opinion column. Comment directly to Thom Cole at tcole@abqjournal.com or 505-992-6280 in Santa Fe. Go to www.abqjournal.com/letters/new to submit a letter to the editor.

#9

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

REPUBLICAN PARTY OF NEW MEXICO,
REPUBLICAN PARTY OF DONA ANA COUNTY,
REPUBLICAN PARTY OF BERNALILLO COUNTY,
NEW MEXICO TURN AROUND,
NEW MEXICANS FOR ECONOMIC RECOVERY PAC,
HARVEY YATES, ROD ADAIR, CONRAD JAMES,
HOWARD JAMES BOHLANDER, AND MARK VETETO,

Plaintiffs,

-vs-

CAUSE NO. 1:11-CV-00900-WJ-KBM

GARY KING, IN HIS OFFICIAL CAPACITY,
NEW MEXICO ATTORNEY GENERAL,
DIANNA DURAN, IN HER OFFICIAL CAPACITY,
NEW MEXICO SECRETARY OF STATE,
AND DISTRICT ATTORNEYS, KARI BRANDENBURG,
JANETTA HICKS, AMY ORLANDO AND
ANGELA R. "SPENCE" PACHECO, IN THEIR OFFICIAL CAPACITIES,

Defendants.

**SECRETARY OF STATE DIANNA J. DURAN AND DISTRICT ATTORNEY AMY
ORLANDO'S STIPULATION TO PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Dianna J. Duran, in her official capacity as New Mexico Secretary of State and Amy Orlando, in her official capacity as District Attorney of the County of Dona Ana, Third Judicial District of the State of New Mexico (hereinafter "Defendants"), hereby stipulate to Plaintiffs' Motion for Preliminary Injunction on the grounds that:

1. It appears that Plaintiffs may have a likelihood of succeeding on the merits at this stage of the litigation;

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2. It appears that Plaintiffs may likely suffer irreparable harm in the absence of preliminary injunctive relief, especially considering the recent decision by the United States Supreme Court in Citizens United vs. FEC, 130 S.Ct. 876, 895 (2010):

3. It appears that the balance of equities tips in Plaintiffs' favor at this early stage of the litigation:

4. It appears that an injunction is in the public interest given the nature of the constitutional claims Plaintiffs allege in this lawsuit and the recent decision by the United States Supreme Court in Citizens United vs. FEC, 130 S.Ct. 876, 895 (2010).

5. Although these Defendants are stipulating to Plaintiffs' Motion for Preliminary Injunction, these Defendants request that these proceedings continue on the merits so that the Court can properly determine the constitutionality of contribution limits contained in New Mexico's Campaign Reporting Act, N.M. Stat. §§ 1-19-25 to -36 in order for these Defendants to properly carry out their enforcement powers granted them by said Act in a constitutionally permissive manner pursuant to the mandates of the Constitution of the United States.

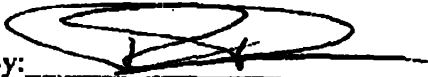
6. Defendant Secretary of State respectfully requests a hearing on the preliminary injunction be set as soon as possible, so that she, as chief election officer of the state, can "obtain and maintain uniformity in the application, operation and interpretation of the Election Code [Chapter 1 NMSA 1978]" and "advise and seek to educate all persons required to perform duties under the Campaign reporting Act [1-19-25 to 1-19-36 NMSA] of those duties." NMSA 1978 § 1-1-1 (2011); NMSA 1978 § 1-19-3434 (2011).

7. By stipulating to Plaintiffs' Motion for Preliminary Injunction, these Defendants do not waive any of their answers or responses in their Answer to Plaintiff.

Complaint for Declaratory and Injunctive Relief and do not waive their right to present evidence and/or legal argument at the trial on the merits of this matter.

Respectfully submitted,

DOUGHTY & WEST, P.A.

By: 

Robert M. Doughty III

Attorneys for Defendants Dianna J. Duran, in her official capacity as New Mexico Secretary of State and Amy Orlando, in her official capacity as District Attorney of the County of Dona Ana, Third Judicial District of the State of New Mexico

20 First Plaza NW, Suite 412
Albuquerque, NM 87102
(505) 242-7070

I HEREBY CERTIFY that on November 8, 2011, I filed the foregoing through this Court's CM/ECF filing system, causing a true and correct copy of the same to be served electronically upon the following counsel of record as more fully reflected in the Notice of Electronic Filing:

Paul M. Kienzle, III
Scott & Kienzle, P.A.
PO Box 587
Albuquerque NM 87103
paul@kienzlelaw.com

Phillip P. Baca
New Mexico Attorney General's Office
111 Lomas Blvd. NW
Albuquerque NM 87102
pbaca@nmag.gov

/s/ Robert M. Doughty, III

Robert M. Doughty, III

#10

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

REPUBLICAN PARTY OF NEW MEXICO,
REPUBLICAN PARTY OF DONA ANA COUNTY,
REPUBLICAN PARTY OF BERNALILLO
COUNTY, NEW MEXICO TURN AROUND,
NEW MEXICANS FOR ECONOMIC RECOVERY
PAC, HARVEY YATES, ROD ADAIR, CONRAD
JAMES, HOWARD JAMES BOHLANDER, AND
MARK VETETO,

Plaintiffs,

v.

NO. 11-CV-900 WJ/KBM

GARY KING, in his official capacity, New Mexico
Attorney General, DIANNA DURAN, in her official
capacity, New Mexico Secretary of State, and District
Attorneys KARI BRANDENBURG, JANETTA
HICKS, AMY ORLANDO, and ANGELA R.
PACHECO, in their official capacities,

Defendants

**MEMORANDUM OPINION AND ORDER GRANTING IN PART
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

THIS MATTER comes before the Court on Plaintiffs' Motion for Preliminary Injunction (doc. 9) filed October 12, 2011. Plaintiffs seek a preliminary injunction against enforcement of certain provisions of the New Mexico Campaign Reporting Act (the "Act") codified at N.M. Stat. § 1-19-25 *et seq.* (1978). Having considered the parties' written and oral arguments and the applicable law, the Court GRANTS Plaintiffs' motion in part, and hereby issues this Preliminary Injunction

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and not "stretch" the holding of *Citizens United*. If there is any tension between that precedent and the logic of *Citizens United*, it is for the Supreme Court to resolve. Therefore, the Court holds that the application of the Act's contribution limits to contributions to be used for non-independent expenditures in state campaigns is not unconstitutional, but is permissible under current Supreme Court precedent. Accordingly, Plaintiffs' request that Defendants be enjoined from enforcing the Act's contribution limits on political parties and individuals is DENIED.

B. Contributions to Be Used for Independent Expenditures

Plaintiffs next argue that application of the Act's contribution limit to contributions designated for independent expenditures is unconstitutional. As discussed above, the only government interest capable of supporting political contribution limits is the prevention of corruption or the appearance of corruption. In *Citizens United*, the Supreme Court held as a matter of law that independent expenditures do not implicate the anti-corruption interest. *Citizens United*, 130 S. Ct. at 909. Therefore, New Mexico does not have an anti-corruption interest capable of justifying contribution limits if those contributions are to be used exclusively for independent expenditures. See, e.g., *Wis. Right to Life State Political Action Committee v. Barlund*, 7 F.3d _____, 2011 WL 6225138 (7th Cir. 2011); *Thalheimer v. City of San Diego*, 645 F.3d 1109 (9th Cir. 2011), *Long Beach Area Chamber of Commerce v. City of Long Beach*, 603 F.3d 684 (9th Cir. 2010); *SpeechNow.org v. FEC*, 599 F.3d 686 (D.C. Cir. 2010).

Despite Defendants' assertion to the contrary, the fact that the particular Plaintiffs here, NMER PAC and NMTA, may have close associations with a political party does not change the analysis. In *Colorado I*, the Supreme Court held that a political party may make independent expenditures, and those expenditures receive as much constitutional protection as those of any other entities. 518 U.S. at 618 ("We do not see how a Constitution that grants to individuals,

candidates, and ordinary political committees the right to make unlimited independent expenditures could deny the same right to political parties.”). Since political parties legally can make independent expenditures, the mere fact that NMER PAC and NMTA are closely related to political parties does not affect the analysis regarding their ability to make independent expenditures

Therefore, because no anti-corruption interest can justify limiting contributions to be used for independent expenditures, and because no other government interest suffices to justify contribution limits, the contribution limits in the Act are unconstitutional as applied to NMER PAC and NMTA for contributions segregated and designated for use as independent expenditures. Accordingly, Defendants are enjoined from enforcing the Act’s contribution limits for segregated contributions used for independent expenditures.

C. Contributions to Be Used in Federal Campaigns

Plaintiff NM-GOP desires to solicit and receive contributions to be used in campaigns of candidates for federal office. It argues that the Federal Election Campaign Act (“FECA”), 2 U.S.C. §§ 431 *et seq.*, which regulates federal campaign money, preempts the Act. Defendants appear to concede this issue: “Plaintiffs state, correctly, that the Federal Election Campaign Act pre-empts New Mexico’s contribution limits in regards to federal candidates. In fact, New Mexico’s Campaign Reporting Act explicitly excludes federal candidates from its applicability.” (Doc. 15 at 3.) Defendants point to the application provision of the Act, which reads: “The provisions of the Campaign Reporting Act do not apply to any candidate subject to the provisions of the federal law pertaining to campaign practices and finance.” N.M. Stat. § 1-19-37. Taking into consideration the language of the Act and of FECA, and also Defendants’ concession, the Court determines that the Act does not impose limits on contributions of money

directed to candidates for federal elective offices, and that if it did it would be preempted by FECA. See 2 U.S.C. § 453(a) ("[T]he provisions of this Act, and of rules prescribed under this Act, supersede and preempt any provision of State law with respect to election to Federal office."), 11 C.F.R. § 108.7(b) ("Federal law supersedes State law concerning the . . . (3) Limitation on contributions and expenditures regarding Federal candidates and political committees."). Therefore, the court grants Plaintiffs a preliminary injunction against enforcement of the \$5,000 contribution limit as to contributions directed towards the campaigns of candidates in federal elections.

CONCLUSION

For the reasons discussed above, the Court GRANTS Plaintiffs' Motion for Preliminary Injunction in part as follows: Defendants are enjoined from enforcing the Act's \$5,000 contribution limit against contributions to be used in federal campaigns, such as Plaintiff NM-GOP's desired solicitation of contributions exceeding \$5,000 from the Republican National Committee to be used for candidates seeking federal office; and Defendants are enjoined from enforcing the Act's \$5,000 contribution limit against contributions to be used exclusively for independent expenditures, such as any funds that Plaintiffs Mark Veteto and Howard Bohlander desire to contribute to Plaintiffs NMER PAC and NMTA to be used for independent expenditures

The Court DENIES Plaintiffs' Motion for Preliminary Injunction in part as follows. Defendants are not enjoined from enforcing the Act's \$5,000 contribution limit for contributions made by individuals or political parties to be used for coordinated expenditures or to be contributed to candidates for state office, such as Plaintiff Harvey Yates's desire to contribute more than \$5,000 to NM-GOP, Plaintiff NM-GOP's desire to contribute more than \$5,000 to the

Local Party Plaintiffs, and Plaintiff NM-GOP's desire to make contributions greater than \$5,000 to Plaintiff candidates Rod Adair and Conrad James.

Finally, the Court notes that as of the date of filing of this Preliminary Injunction, Iowans have already caucused and soon voters in New Hampshire, South Carolina and other early primary states will be heading to the polls to cast their votes. Considering that the 2012 election cycle is in full swing and considering that the desired activities of Plaintiffs involve political free speech and association rights during an election year, this Preliminary Injunction shall remain in effect pending appeal unless stayed by the Tenth Circuit Court of Appeals.

SO ORDERED.


UNITED STATES DISTRICT JUDGE

#11

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Libertarian Gary Johnson - Mitt Romney can win New Mexico if he puts Susana Martinez on the ticket

by Eric Dunderberg for Zimbio | Updated 5/7/12 | From libertarianrepublican.net



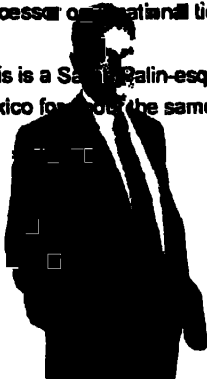
Compares her to Sarah Palin, for good and for bad

From Politico, "Johnson: Romney-Martinez would be 'Palin-esque'"

Mitt Romney may be able to win New Mexico if he chooses Gov. Susana Martinez as his running mate, former New Mexico Gov. Gary Johnson said.

But beyond that, the Republican-turned-Libertarian sees little value in putting his successor on the national ticket.

"This is a Sarah Palin-esque kind of choice. She's served as governor of New Mexico for about the same amount of time," Johnson said. "I think there were lessons learned [from 2008.]"



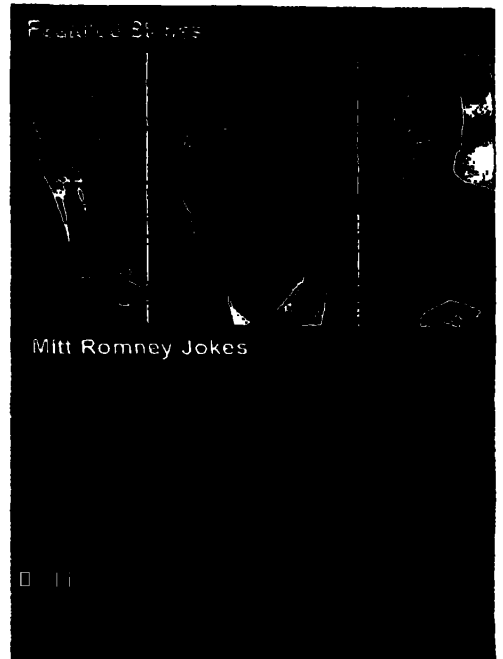
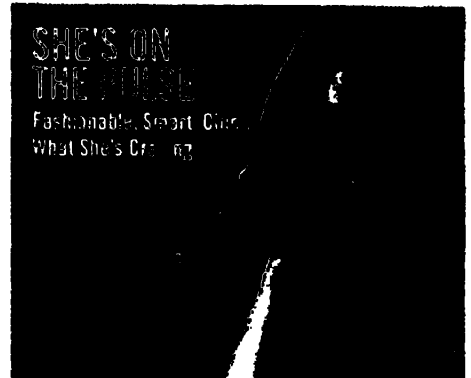
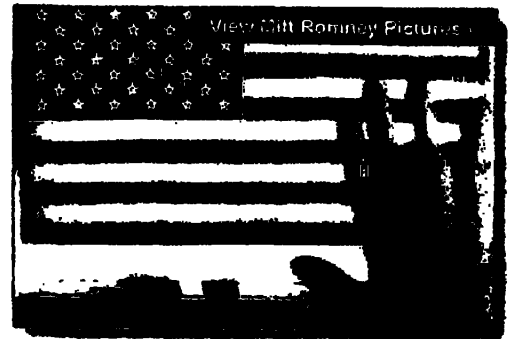
Further:

Martinez, one of the rock-star GOP governors elected in 2010, has been viewed as a politician with national potential due to her reformer's profile and potential appeal to Latino voters

Note - Johnson served as New Mexico Governor for two terms, from 1998 to 2006. Martinez is the first Republican elected since the end of his term.

Related Articles:

- Gary Johnson - Mitt Romney Swing State Vote Swap
- Ron Paul Is Going to the Republican National Convention
- Bob "Taliban Boh" McDonnell Losing Support of Virginians
- Google Alert - U.S. Politics



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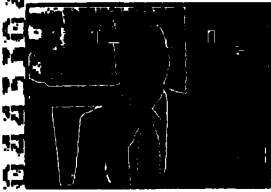
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Ex. Gov. Johnson slams Gov. Martinez on immigration

Updated at: 04/10/2012 12:34 PM
By: CRISTINA SILVA Associated Press



LAS VEGAS (AP) - Former New Mexico governor and Libertarian presidential candidate Gary Johnson is slamming successor Susana Martinez for being too tough on illegal immigrants.

Johnson said this week while campaigning in Las Vegas that Martinez's efforts to make it difficult for immigrants to live illegally in the United States isn't wise policy.

© Gary Johnson

Johnson says it would be better to advocate for immigration reform and urged the federal government to offer more temporary employment visas so that immigrants can legally enter the country and work here.

Johnson was a longshot candidate for the Republican presidential nomination when he announced in December that he would instead pursue the Libertarian ticket.

He served two terms as New Mexico's governor starting in 1994.

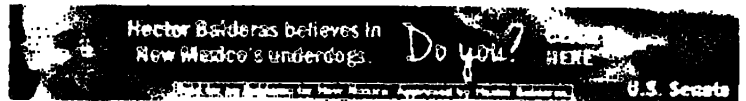
Martinez became the nation's first Latina governor in 2010.

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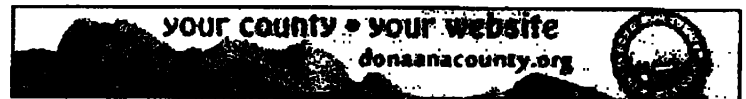
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As Obama falters, are Hispanics an opportunity for GOP?

By [Nicole McCleskey](#) | 9/14/11, 9:55 pm | [Commentary](#)



Nicole McCleskey

With much speculation about Hispanics and the 2012 election, we thought it worth taking a look. Anecdotally you hear whispers (some louder than others) about President Obama's erosion in the Hispanic community – that Hispanics are turning against him headed into 2012. But is it true?

In 2008, Obama received 66 percent of the Hispanic vote, an impressive showing that propelled him to the defeat of John McCain. The high level of support in the Hispanic community lasted through his inaugural year in office. As the NBC/Wall Street Journal data library demonstrates, Obama posted approval ratings of 67 percent in February 2009 and 72 percent in October of the same year.

But, Obama's slide among Hispanics began in 2010, and continues. Across the entire 2010 year, Obama averaged a 60 percent approval rating among Hispanic voters. In the most recent NBC/Wall Street Journal survey, conducted in late August, his approval rating dipped to 57 percent. And, in the latest Gallup survey, just 48 percent of Hispanics approve of the job Obama has done.

Even more telling are his approval numbers for his handling of the economy. Upon entering office, 71 percent of Hispanics approved of Obama's handling of the economy. Fast forward to August 2011, and his economic approval rating has dropped to 59 percent among Hispanic voters.

These numbers in themselves are not horribly bad. But combined with the president's demise among white voters, the math to get to 50 percent is harder for Team Obama. As my partner Glen Bolger wrote in a post you can find here: "If the GOP shaves a few points off of Obama's 2008 percentage with Hispanics (which was 66 percent), that will be very costly to him."

In fact, the August NBC/WSJ survey suggests Obama will have trouble getting close to the 66 percent share of the Hispanic vote in 2012. Today, just 51 percent of Hispanic voters say they would cast their vote to re-elect Obama, while 35 percent would choose the Republican candidate. Of course, the game changes when there is an actual GOP nominee, but one can start to see the prospect of the GOP shaving off a few points among Hispanics.

Dems haven't lost Hispanics, but there is trouble

Does this mean Obama and Democrats have "lost" Hispanic voters? No. The image rating of The Republican Party through 2011 is just 26 percent positive and 42 percent negative. In fact, the Republican Party has done little to alter its image among Hispanics since 2009, when the image rating was 25 percent positive/40 percent negative.

The Democratic Party is still viewed considerably more favorably at 47 percent positive/23 percent negative, but even that's a far cry from the 60 percent positive in February of 2009.

Encouraging for Republican congressional candidates is the "who would you prefer control Congress" question. In 2010 through the course of the year, Dems enjoyed an almost two-to-one margin (30 percent GOP/59 percent Dem, or -29 percent), which has narrowed over two surveys this summer to 36 percent GOP/56 percent Dem (-20 percent).

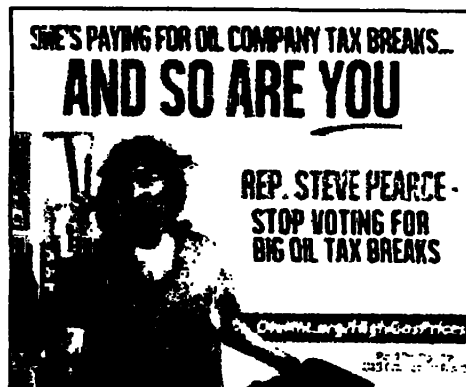
All this suggests that yes, Obama has trouble with Hispanics that he can ill-afford, and it may have repercussions down-ballot. Hispanic voters have not bolted en masse, but that doesn't have to happen to tilt the balance to a Republican, considering Obama's serious problems among white voters.

Longer-term, Republicans must seize an opportunity to connect with Hispanic voters. Obama's loss is not necessarily the Republicans' gain. Republicans need to move toward systemic success as opposed to isolated victories if we are to consistently compete for the Hispanic vote.

In 2010, individual Republican candidates proved that they could win significant shares of the Hispanic vote, but the GOP has yet to change the overall brand. Obama's slippage with Hispanics might be enough to score some victories in 2012, but as the demographics of the country continue to shift, it will not be enough to sustain us in the years ahead.

Nicole McCleskey is a partner with Public Opinion Strategies, which is a national public opinion research company. POS currently polls for 20 U.S. senators, six governors, and more than 70 members of the U.S. House of Representatives. POS is also the Republican polling partner for the NBC/Wall Street Journal and two-time recipient of Pollster of the Year by the American Association of Political Consultants. POS polled for Gov. Susana Martinez, Albuquerque Mayor Richard Berry, and dozens of legislative races in New Mexico.

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By Public Opinion Strategies

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Hispanic Outreach in 2012

Posted on January 17, 2012, 9:14 am, by Nicole McCleskey.

Population shifts and the growth of the numbers of future Hispanic voters will realign American politics. Several groups and organizations are expanding their "Latino outreach" programs to communicate with Hispanic voters to earn a larger slice of the Hispanic vote for Republican candidates.

But what is Latino outreach and will it work? Latino outreach that works means electing more Republican Hispanic candidates to office, plain and simple, and watching them succeed.

Governor Susana Martinez of New Mexico today boasts a 65% approval rating statewide. Her job approval rating among Hispanic voters (62%) nearly matches that among white voters (68%).

But it wasn't always this way... In 2010, then-candidate Martinez fought for the Hispanic vote. Throughout the election, Hispanic women were particularly difficult to attract with their stronger Democrat leanings, but persistence and sincere messaging won out. Martinez ended up carrying 41% of the Hispanic vote, compared to the 31% of McCain just two years earlier.

What is noteworthy is how her support has grown since she has taken office....

Today, 60% of Hispanic men and 64% of Hispanic women approve of the job Martinez is doing as governor. She didn't get their votes simply because she shared their cultural identity. But she did earn their respect and support once elected. It's a process of building trust and confidence. Today, 86% of Hispanic New Mexicans believe Governor Martinez is honest; 79% say she cares for average New Mexicans; 77% believe she is a strong leader, and; 74% say she puts common sense ahead of her party's interests.

Her style and approach to governing has lifted her in the eyes of Hispanic voters. Her intolerance for corruption, no-nonsense approach to spending, and unrelenting approach to education reform has won her the support of many Hispanic voters. A sample of open-ended comments from Hispanic Democrats in New Mexico:

"I think she has kept her promises as far as illegal immigration. I know from people who work at the state, they are having to work harder to get money. She is trying to fix the economy."

"She's getting more jobs for New Mexicans. And she is helping the children with schooling."

"Big change from corrupt Bill Richardson. Pay to play scandals. Campaign scandals. Every scandal known to man. She is doing a good job. She has cut state government workers, the budget, unnecessary spending. She removed cap and trade and removed all the past Administration political [appointees] from office and state government."

"That she is a strong person. She's dedicated to helping the people of New Mexico. To find jobs and balance the budget."

"Her guts that's cleaning up the state level. She's doing a good job of reorganizing and cracking down on useless expenses. I think she is doing a good job."

If Republicans want to earn the votes of Hispanics, then we must elect Hispanic leaders to set the example. We can fund Spanish ads, put up Spanish-language websites, and hold Hispanic "events." But these are only weak substitutes for doing what really matters ... electing Republican Hispanic candidates who can be the role models and future leaders of this country.

A quick update on the mood of Hispanic voters as we begin this election year... *

- Over the course of 2011, Obama averaged a 57% approve/35% disapprove rating. Obama won 66% of Hispanic voters to capture his victory in 2008.
- Perceptions of Obama's handling of the economy continue to slide. Over the course of the 2011 year, 48% approve and 46% disapprove of his economic performance. Over just the last three months of the year, his economic approval dropped to 43%.
- Also over the last three months of the year Hispanic voters expressed higher levels of disappointment, with 66% saying the country is on the wrong track. That's a significant jump from the 49% who said the country was on the wrong track over the course of 2010.

*All data from NBC/Wall Street Journal national surveys.



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#15

Republicans aggressively courting Latino vote



(Getty Images)

By JORDAN FABIAN
Channel: Politics

Can Republicans actually get Latinos to vote for them in greater numbers?

Many political observers have dismissed the notion that the party is in position to accomplish that in 2012, but that has not stopped some Republican groups from trying.

The latest GOP effort will come this weekend at the Hispanic Leadership Network's (HLN) Southwest conference in Albuquerque, N.M. The conference will bring together Latino Republican policymakers and elected officials, such as New Mexico Gov. Susana Martinez, to discuss issues such as jobs, housing, healthcare and immigration.

The aim, according to HLN Executive Director Jennifer Sevilla Korn, is to more effectively convey the conservative message to Latino voters.

"Conservatives know that Hispanics are an important voting bloc," she told Univision News. "For many years, Democrats have taken the Hispanic vote for

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granted."

With Latino unemployment at 11.3 percent and several recent opinion polls showing sinking Latino support for President Obama, Republicans believe they can win the 2012 election in part by boosting their share of the Latino vote in key swing states such as Florida, and to a lesser extent, New Mexico and Colorado.

But Democrats have roundly rejected that notion, saying that the same polls show that the GOP brand is faring worse than Obama and that Republican policies on issues from healthcare to immigration reform are at odds with the priorities of Latinos.

"Casting a vote speaks louder than the words you use to court one," wrote Congressional Hispanic Caucus Chairman Charlie Gonzalez (D) in a *Huffington Post* op-ed before HLN's Inaugural conference in January. "The actions that are being taken by Republicans in Congress don't match the words or the tone that [Jeb] Bush and [Newt] Gingrich would have them use."

Korn says that the group seeks to build a network of grassroots activists to engage with Latino communities in several states and hire a communications team with the sole purpose of relaying the conservative message to Latinos. As for the notion that those efforts might be fruitless, Korn said that the Latino community has diverse political views, some of which tend to be conservative.

"Hispanics are not a monolithic group, they are independent thinkers," she said.

The Republican party, for one, is counting on that.

Univision News will be on the ground in New Mexico for the conference. Stay tuned to our Tumblr page for updates throughout the weekend.

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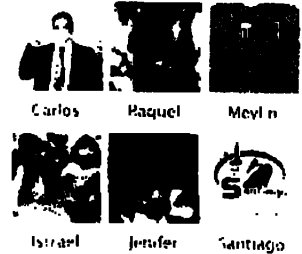
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RSS Feed**Short-lister watch: Martinez approval strong**

BY ALEXANDER BURNS |

12/21/11 4:55 AM EST

Two polls this week show New Mexico Gov. Susana Martinez, a first-term Republican who has drawn interest as a reform-minded Hispanic conservative, in strong and maybe even veep-worthy political condition. From the Democratic side, there's pollster PPP, which rates her one of the most popular (<http://www.publicpolicypolling.com/mail/2011/12/aew-nmexico-miscellaneous.htm>) governors in the country:

Martinez continues to have some of the most impressive approval numbers in the country. We find 50% of voters approving of her to 39% who disapprove. She's only of only 11 Governors PPP has found this year with an approval at 50% or higher, and she's the most popular out of the new Republican Governors elected last fall that we've polled on.

What makes Martinez's numbers so noteworthy is that she's doing it as a Republican in a state that voted for Barack Obama by 15 points in 2008 and appears ready to do so again next year. In addition to universal support from Republicans, an unusually high 32% of Democrats give her good marks and independents approve of her by a 48/38 margin as well.

Then there's the GOP firm Public Opinion Strategies, which shows even more robust numbers

(<http://www.nmpolitics.net/index/2011/12/martinez-popularity-%E2%80%98sky-high%E2%80%99-poli-says/>) for the governor:

Some 65 percent of those surveyed by Public Opinion Strategies said they approve of the job Martinez is doing, while 29 percent said they disapprove. ...

A pollster with Public Opinion Strategies (POS) was among those who criticized the voter-registration composition of the left-leaning Public Policy Polling survey unveiled last week.

There are plenty of reasons not to choose a half-term governor for the 2012 presidential ticket, most of which were amply demonstrated during the 2008 cycle. But Martinez -- who, as PPP notes, doesn't get nearly the VP buzz that Bob McDonnell or Marco Rubio does -- clearly ranks among the Republican newcomers who could bolster her party in a Democratic-leaning swing state and perhaps expand its geographic and demographic reach more broadly.

Read more about: 2012 Elections (<http://dyn.politico.com/tag/2012Elections>) , **Susana Martinez**
(<http://dyn.politico.com/tag/SusanaMartinez>)

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POLITICO | GOP loves look of VP field

GOP loves look of VP field



Bob McDonnell, Susana Martinez and Marco Rubio are among many notable VP possibilities. | AP Photos

By ALEXANDER BURNS | 2/8/11 4:30 AM EST

Forget about Mitt, Huck and Newt.

From its highest levels to the grass roots, the GOP is buzzing over Marco, Bobby and Susana, as well as more than a half-dozen other junior Republican officeholders who have captured the party's imagination in ways that the current 2012 presidential field (<http://www.politico.com/2012-election/>) hasn't come close to doing.

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VIDEO: Rubio victory speech

#18

POLITICO | Veepstakes speculation heats up

Veepstakes speculation heats up



Who will the eventual GOP nominee's running mate be? | AP Photos

By MAGGIE HABERMAN | 8/18/11 4:47 AM EDT

The 2012 GOP presidential field isn't even settled yet but already speculation about the eventual nominee's running mate is beginning to pick up.

Mitt Romney recently brought the vice presidential sweepstakes into hazy focus by revealing three names on his short list (<http://www.politico.com/news/stories/0711/59933.html>) — Virginia Gov. Bob McDonnell, Florida Sen. Marco Rubio and New Jersey Gov. Chris Christie. McDonnell has conceded he's "very interested." (<http://www.politico.com/news/stories/0811/61368.html>) Rubio, who ranks high on every Republican's list, is about to spark even more veepstakes

#19

POLITICO | Top 10 breakout stars of 2010

Top 10 breakout stars of 2010



Susana Martinez, Kamala Harris, Scott Brown and Marco Rubio made their marks this year. LAP Photos

By ANDY BARR | 12/31/10 6:19 PM EST Updated 1/3/11 9 07 AM EST

Every year seems to see the rise of a talented new crop of pols and 2010 was no different. The midterm elections produced a fair number of newcomers who already boast widespread name recognition beyond their own states, in addition to some familiar faces who had breakout years that burnished their statures.

While a few are destined to flame out, many of them show signs of becoming forces on the national political landscape.

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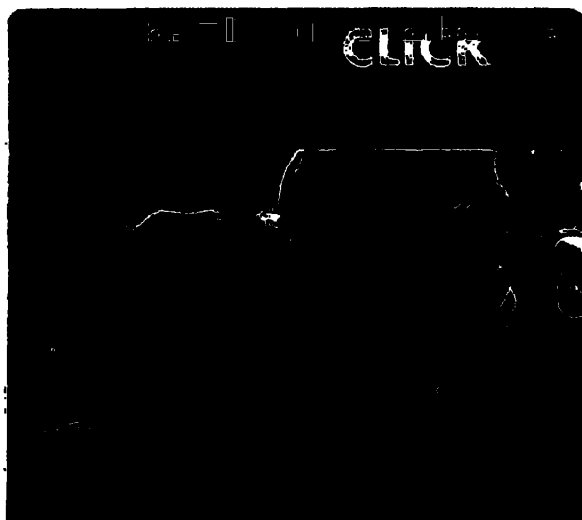
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(<http://www.politico.com/news/stories/0512/75973.html>)



Sanders honors Willie Nelson

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Here's POLITICO's list of the top 10 breakout stars of 2010.

Susana Martinez

As the first Hispanic woman to be elected governor, New Mexico Republican Susana Martinez is a featured face for a party eager to demonstrate its new diversity.

What sets Martinez apart from an unusually diverse class of new Republican governors — which includes Nikki Haley in South Carolina — was her ability to win convincingly in a state that had been trending Democratic.

Now from her perch in the Southwest, Martinez is poised to be one of her party's leading voices on immigration and could play a significant role in courting Hispanic voters in a key region in 2012, as the GOP works to take back many of the Mountain West states Obama captured in 2008.

Kamala Harris

She barely squeaked into office in November but California Attorney General-elect Kamala Harris nevertheless caught the attention of her party's most powerful figures, some of whom view her as a rising star in the mold of Barack Obama. And when the Democrat finally takes office after her narrow victory over Los Angeles District Attorney Steve Cooley, she'll be able to tap national contacts typically outside the reach of a state attorney general.

By stepping into one of the highest offices in the nation's most populous state — and by being dubbed "the anti-Palin" by some Democrats — Harris has the unique opportunity to build a strong national political brand.

American Crossroads

No group better seized on the opportunity provided by the January Supreme Court decision providing a new opening for corporate political spending than American Crossroads.

Along with its spin-off, Crossroads Grassroots Policy Strategies, American Crossroads raised more than \$70 million and bombarded vulnerable Democrats with radio and television ads — all the while drawing scorn from Democratic leaders for not disclosing its donors.

The group, linked to top Republican operatives Karl Rove and Ed Gillespie,

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Mitt Romney Drops Susana Martinez's Name while Talking Veep

By Elizabeth Lorente Published Friday, 5/3/2012, 1:11 PM EDT



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New Mexico Gov. Susana Martinez has joined the list of politicians named as potential vice presidential candidates, but who say they're not interested in the job.

Former Massachusetts Gov. Mitt Romney dropped the first-term Republican governor's name Friday during an interview on Fox News, where he also mentioned the governors of New Jersey, Louisiana and South Carolina as possible running mates.

The Santa Fe New Mexican reports that Martinez spokesman Scott Darnell quashed the talk. He issued a statement saying Martinez has no interest in serving as vice president.

Romney and Martinez have attended a few events together.

The former Las Cruces district attorney is starting her second year in office and is in the midst of a 30-day legislative session.

During an exclusive interview with ABC-7's New Mexico Mobile Newscam last week, Martinez assured that her focus is on Santa Fe.

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Susana Martinez (R)

New Mexico Governor (since January 2011)

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Why She Matters

The first Latino woman to be elected governor in the United States, Martinez is rapidly becoming an important national star for a Republican Party lacking in diversity. She is New Mexico's first female governor and her name is in the mix as a possible vice-presidential nominee in 2012.

 This from [The Five](#) Chris Cillizza:

"She was elected with relatively little fanfare in 2010 as the governor of New Mexico, the first Hispanic woman governor — Democrat or Republican — in the country. Romney has floated Martinez's name as a potential vice president and the Land of Enchantment is regarded as a swing state this fall. Still, Martinez was the Dona Anna County District Attorney less than four years ago and may not yet be ready for the national spotlight."

Martinez's political ambition began in high school, where she was president of her class. After switching parties to become a Republican in 1995, she ran against her former boss for district attorney, a position she has held in New Mexico's 3rd judicial district since 1997.

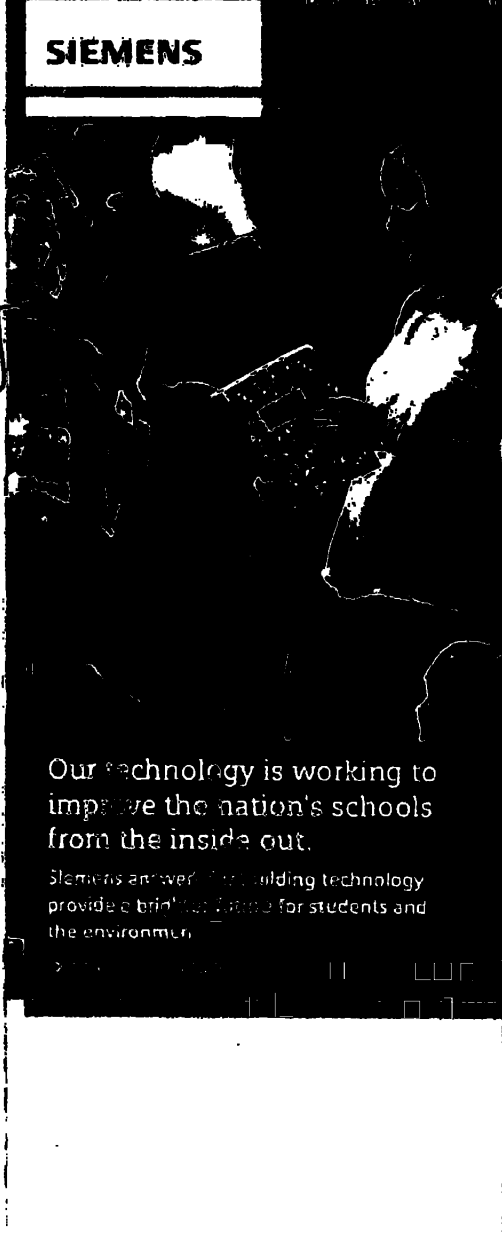
In her 2010 gubernatorial race, Martinez was an outspoken opponent of amnesty for illegal immigrants. While she and her opponent both seek to repeal the law allowing undocumented immigrants to obtain driver's licenses, Martinez has said she would take it one step further and revoke already issued licenses.

Well known as a prosecutor, Martinez's 2010 campaign appearances were reserved and few. Instead, riding on the coattails of Gov. Bill Richardson's (D) unpopularity, Martinez stayed ahead in the polls without excessive media contact. Intent on presenting herself as the opposite of Richardson and Lieutenant Governor Diane Denish (D), her 2010 gubernatorial foe, Martinez once challenged Richardson to a debate instead of Denish.

Martinez easily won her race against Denish.

In Her Own Words

"We prosecute an awful lot of individuals who come to our country [whose] only intent is to commit criminal acts. My focus has always been on the illegal immigrants who come here



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Robert Guttman

**Director, Center on Politics
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GOP VP Possibilities: How About a Woman From Out West?

Posted: 02/29/2012 11:27 am

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Ron Paul, GOP Vice Presidential Nominee, Rob Portman, Susana Martinez, Politics News

As the chaos of this Republican primary season continues, it is important not to forget the possibilities of a vice-presidential running mate for a Romney, Gingrich, Santorum or Paul ticket. Although conservatives have shown a lack of enthusiasm for the current candidates, the strength of the Republican Party for this cycle has been their bench. Republicans get bored with Romney, but are obsessed about New Jersey Gov. Chris Christie.

They look the other way when Paul is mentioned but love Florida Sen. Marco Rubio. Eyes roll over with Gingrich's fiery rhetoric, but hold the words of South Dakota Sen. John Thune in the highest of esteem.

People still want the Indiana governor to run for president to instill his budget-cutting ways to the White House. He would also be a good VP choice as would Sen. Rob Portman from Ohio who has a similar budget cutting background as Governor Daniels. And Michigan Governor Rick Snyder would be another possible VP choice for the GOP.

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A controversial choice for VP this time around could be the feisty Arizona Gov. Jan Brewer. However, there's another Republican player on the bench from out west that conservatives may want to consider: Gov. Susana Martinez of the great state of New Mexico. With a tough image, Hispanic background and Palin endorsement, this Republican gem will help make the party shine after the primary dust settles. Named "Woman of the Year" and "Prosecutor of the Year," she portrays the image of a tough and competent yet cheerful leader.

Governor Martinez, 52, totes the GOP party line with all of the major social issues. She's opposed to any elective abortion and supports parental notification for minors of 13 years of age or younger that are seeking an abortion. She's also opposed to same-sex marriage as well as medical marijuana. These simple marks on the conservative checklist don't differentiate her from her Republican colleagues. However, there are some significant policies that may make her stand out from the pack.

Early into her first term, Governor Martinez signed an executive order rescinding sanctuary status for illegal immigrants who commit crimes, but protect victims and witnesses of criminal acts from immigration prosecution. This is a solid attempt to provide "rule of law" and security in a world that often times is shy of government interaction. Governor Martinez is also seeking to remove access to state driver's licenses for illegal immigrants as a way to confront issues of organized crime and border security. In an even tougher stance than her Texas neighbor Gov. Rick Perry, Governor Martinez is seeking to deny the New Mexico Lottery Scholarship, a grant that covers most tuition costs to New Mexico High School graduates that attend state universities, to the children of undocumented immigrants.

Governor Martinez also possesses the big dreams that so far seem to encompass this Republican primary. Since taking office in 2011 in a heavily Democratic state, she has been promoting investment into New Mexico's "Spaceport America" that will be the first commercial aircraft to carry passengers beyond our atmosphere. This is nothing new, but her twist is the promotion of private investment over government investment, something that will surely strike a chord with conservative and Tea-Partiers alike. If Gingrich plans on following through with his "moon colonies" then he might want to choose a running mate with similar interests. Especially if his running mate can fund his future space odyssey travels through private channels.

Recently Governor Martinez signed an anti-corruption bill that would allow judges to impose financial penalties on public officials convicted of corruption and make their pensions as well as benefits vulnerable to seizure. This bill sends a message to a state that has a history of corrupt practices by its elected and appointed officials. In a political season where many on the right see government as corrupt, as the vice presidential candidate Martinez's tough anti-corruption stances will excite the Republican base. Governor Martinez is also married to a retired police officer, Chuck Franco, who served more than 30 years in the State of New Mexico. Franco is an avid hunter and fisher and former game warden. His history in law enforcement will easily impress conservative voters throughout the country.

Martinez is from a normally Democratic state. She is a Hispanic with a tough law and order image. She is from out west. She seems to be in step with the conservatives of the GOP on the key social issues of the day. Her tough image may be what the Republicans are looking for in 2012. She certainly has to be better than their 2008 VP choice!

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Pollster: Latinos Are Key to GOP Winning White House

By [Caitlin Huey-Burns](#) - March 8, 2012

It is no secret that Republicans need to make up ground in attracting Latino voters: Barack Obama doubled John McCain's showing among this rapidly growing constituency four years ago. In fact, a longtime GOP pollster cautioned Thursday that if Republicans don't narrow this deficit, they can kiss their dream of winning the White House goodbye. "If we don't do better among Latinos, we're not going to be talking about how to get back Florida in the presidential race; we're going to be talking about how not to lose Texas going forward," Whit Ayres, a veteran Republican strategist whose firm worked for Jon Huntsman, told reporters Thursday.

"And you can't possibly put the pieces together in the Electoral College if you concede California, New York, Florida and Texas to [Democrats]."

Ayers' warning comes on the heels of a [Fox News Latino poll](#) that showed none of the Republican presidential candidates attracting more than 14 percent of the support from this bloc when paired in a head-to-head matchup with President Obama. And though the GOP candidates have derided the president for his handling of the economy and his signing of the national health care reform law, the survey shows 73 percent of Latino voters approve of the job Obama is doing as president; 58 percent say he is doing a fine job handling the economy, and 66 percent view his handling of the health care issue favorably.

But the voters polled cited jobs and the economy as the most important issue facing them, and that, said Ayres, is where Republicans need to make inroads. If the GOP presidential nominee builds a compelling case that he understands how to ignite the economy and create jobs better than Obama, "he will get a higher share of the Latino vote than he is getting right now," said Ayres, who is confident that former Massachusetts Gov. Mitt Romney will win the nod. "With the right message and the right outreach, we will do better, and probably because we're not stupid. We can count. It's pretty obvious that we can't continue to lose Latinos 2-1, the way we

did in 2008, and still be competitive as a national party."



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To do this, the nominee "cannot come across as someone who does not care about the concerns of Latinos," Ayres said during a newsmaker breakfast sponsored by the Christian Science Monitor. The candidate has to send "a signal that we'd love to have you as part of our team."

But on the national stage, Romney has hardly positioned himself as a warm and fuzzy friend of Hispanics. His now infamous line from a candidates' debate last year -- "I'm running for office, for Pete's sake; I can't have illegals" -- didn't help him with this group, and he has embraced self-deportation as a national strategy. He also has the backing of Kansas Secretary of State Kris Kobach, the architect of controversial immigration laws in Arizona and other states.

Obama isn't exactly doing well on immigration either -- the Fox poll found 41 percent of Latinos disapprove of the president's handling of this issue. (Guy West, who leads the Hispanic Institute, told RCP last the summer that Obama has let Latinos down on immigration, and that the issue weighs heavily on their minds even when jobs and the economy take precedence.)

Still, Ayres conceded that Republicans are losing the messaging contest: "The immigration debate and the tone of some people discussing it hurt the Republican Party. I don't think there's any way you can deny that." Ayers' research, though, suggests that Obama has work to do in Florida and finds him polling 11 points lower among Latinos there than he did in 2008. His data indicate Republicans can do well in the Sunshine State as well as in New Mexico and Colorado, other states where Obama is underperforming, he said. Still, there are eight long months until Election Day.

Polling aside, Ayers believes Republicans have a tool this year that they didn't have before: Latino leaders in the party such as Florida Sen. Marco Rubio, New Mexico Gov. Susanna Martinez and Nevada Gov. Brian Sandoval. Ayres hinted that Rubio, whom he called the "Michael Jordan of American politics," would be a smart pick for the number two spot on the ballot in November -- a move that could make up for what Romney lacks in being a "natural politician," he said.

Caitlin Huey-Burns is a reporter for RealClearPolitics. She can be reached at chueyburns@realclearpolitics.com.

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Why Governor Susana Martinez Needs to Be Romney's Pick for Vice President; Why a Working Class Hispanic Woman Can Restore the National Republican Party



By: Chris Lopez

Between Gary Johnson, Bill Richardson, and now Susana Martinez, it is no wonder why so many big ego democrats want to run for governor of New Mexico in 2014, they seem to be guaranteed a shot at the national stage if they win.

But where both Johnson and Richardson have appeared to fail in establishing viability it seems that timing has given Governor Martinez not only have the best chance at bringing national legitimacy to a New Mexican, but she in fact may have the best chance that republicans have at winning the presidential nomination for Mitt Romney.

The Ivy League analysts within the GOP brain-trust have tried to push for Florida Senator Marco Rubio as a VP pick: he's young, Hispanic (Cuban), and a Tea Party favorite. But when the general election season around, the star-a-British gets shook up and the game changes.

Tea Party types are not attractive to Independents or Democrats who consider an alternative to Obama. The Cuban nationality is also not widely accepted as true Hispanic by those who are of Spanish or Mexican descent in states like New Mexico, Nevada, or California (All states were won by Obama in 2008).

The facts speak for themselves. In a recent Fox News Poll, only 14% of Hispanics favor Romney, whereas 70% of Hispanics favor President Obama. The Hispanic issue is one that even TIME Magazine highlighted by a story "Why Latinos will pick the next President."

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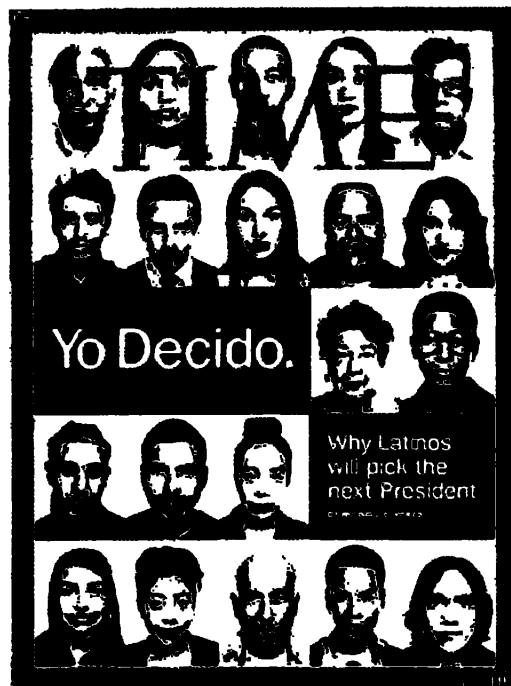
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Not only does the GOP have a problem with drawing Hispanics, but they have a problem with women. In a recent ABC News/Washington Post Poll, Romney trails Obama by 19 percentage points among women likely voters. The birth control issue perfectly played by the President has had an obvious impact on how women perceive the Republican Party.

But not anybody can walk onto the Vice Presidential stage and carry their respective weight. As we saw with Sarah Palin, who although gained great national name ID and wealth, the republican party took the negative hits in the process.

I'm sure the Harvard M.B.A/ J.D. Mitt Romney will bring his number crunching, pragmatic political mind to look for a VP candidate who can take care of a couple issues for him: Hispanics and Women.

By choosing a Hispanic woman, Romney takes care of both issues while showing a different side to his robotic persona; a more human side to the socially awkward hundred-millionaire that is mostly only seen when accompanied by his wife.

Whether it is the contrast of a woman softening Romney's crafted Captain America image, or the fact that the elite Republican would choose a working class Hispanic woman who dug in her heels to earn a few dollars - there is no doubt that choosing a Hispanic woman would drag the republican party out of the elite, elite, right wing radical ideologies and back to the reality of everyday Americans.

A Hispanic working class woman selected for Vice President would change the game, for the better.

Posted by LV Times Staff at 4/10/2012 9:11 PM

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1 Veepstakes: How much does the Hispanic vote really matter?

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Before I get to the main event, which is a piece by Michael Barone, I'd just like to point out that Luis Fortuño, someone whom I have several times said would make a fascinating out-of-the-box choice for Romney, is still considered to be a dark horse possibility:

Puerto Rico Gov. Luis Fortuño (R) is a sleeper pick for the No. 2 spot on the 2012 presidential ticket, according to GOP strategists.

Republican front-runner Mitt Romney has kept his cards close to his chest on vice presidential prospects, saying that it would be "presumptuous" to think about it before winning the nomination. But in a recent interview with Newsmax, he described Fortuño as "a solid conservative and a firm leader." He also dubbed Fortuño "one of the great leaders of our party."

Republican strategists say that whomever Romney picks, the selection has to resonate with Hispanic voters. Sen. Marco Rubio (R-Fla.) is by far and away the leading Hispanic candidate for Romney, but there are others. They include New Mexico Gov. Susana Martinez, Nevada Gov. Brian Sandoval and Fortuño.

It's nice to see Republican strategists thinking along out-of-the-box lines.

Many people take it as a given that Romney's choice "has to resonate with Hispanic voters." Not so fast, says Michael Barone (emphasis mine):

Ticket-balancing suggestions have come in to Mitt Romney. He should endorse a fiery cultural conservative, some Republicans say, although he's not likely to name the undisciplined Rick Santorum.

He needs to name a Latino, say others. But the most obvious choice, the eloquent Sen. Marco Rubio, has reiterated his unwillingness to run. So has New Mexico Gov. Susana Martinez.

The argument that Republicans need additional support from Latinos may be overstated. The 2010 exit poll shows Republicans won 38 percent of the Latino vote — and that that was enough for a national majority, since they carried whites by a record 60 to 37 percent.

Anyway, ticket-balancing is not the only successful approach, as Bill Clinton understood. When he clinched the Democratic nomination in 1992 as a Southern moderate, it was widely assumed he would pick a Northern liberal, as Jimmy Carter had.

So how important is the Hispanic vote right now?

When it comes to the presidential election, the first question is, how many Hispanics are in swing states? As it turns out, almost half of all Hispanics are in two states: California and Texas. The odds are very good those each of those is safe, the former for Obama and the latter for Romney. And when you average out the Hispanic population across actual swing states, you get a figure of 866,750 per state. That isn't all that high. Among those, Florida, Colorado, and New Mexico are the most prevalent in this election.

And then there's the popular vote. You can use [this amazing tool from Resurgent Republic](#) to glean useful information and wargame various scenarios. Most striking to me was the tool near the bottom called "Simulating 2012." Use the sliders to change the percentages of Hispanic vote for the GOP, non-Hispanic vote for the GOP, and Hispanic percent of the electorate.

My takeaway after using the tool for just a few moments was striking. Start with the 2008 scenario. Leave the percent of the electorate at 9%, which was fairly high. Then move the two sliders below. Note how very small moves among non-Hispanics give the GOP the win in the popular vote, but it takes huge moves of the Hispanic vote slider to change the results—up to percentages for the GOP that Hispanics are not likely to vote in for a long time, if ever.

Quick conclusion: Barone is probably right. The Hispanic vote is not a major factor in the VP choice (unless that VP is from Florida). Arguably, the Hispanic vote won't be much of a factor in the general election at all, save for in a few key states.

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Vice President: Susana Martinez?



Elisabeth Meinecke

Townhall Magazine Managing Editor

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For our May issue, the Townhall editorial team compiled a list of the hottest vice presidential contenders out there and made the case for their selection. We had a few criteria when crafting the list: a statesman (or woman!) who has led on conservative policy, is politically viable, inherently marketable and appeals to America's imagination.

Here's one of the top eight candidates and four honorable mentions that made the cut. Agree or disagree? Read the full article, and then voice your opinion in our veepstakes poll!

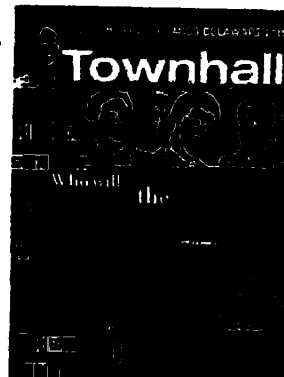
From Townhall Magazine's EXCLUSIVE May feature, "Who Will Win the Veepstakes?":

Susana Martinez: Why should the GOP nominee choose New Mexico Gov. Susana Martinez as a running mate? For starters, there are voter demographics: She is the first Latina to ever be elected governor in the United States. In the past few election cycles, the Republican ticket has struggled to garner both two Hispanic and women's vote. Martinez would appeal to those voters in addition to the conservative base and independents, and her nomination would throw the race card out the window. Plus, Martinez is an avid supporter of the Second Amendment—she even recently received a 100 percent score on her concealed carry permit renewal.

Although Martinez holds the same principles most conservatives do—limited government, protection of life, hard work, lower taxes and more—she has her own unique American story. As a teenager and throughout college, she worked at her father's small security company as a security guard. As small business owners, the Martinez family began to understand the value of entrepreneurs investing more of their money in their business for growth rather than giving it to the government.

Moving into public life, Martinez worked as a prosecutor and district attorney for years and managed the second-largest district attorney office in the state. After being elected governor in 2008, Martinez took her experience in the private sector and applied it to public policy. She reduced taxes on the construction and manufacturing industries in an effort to encourage hiring and create a friendly business environment.

As a border state governor, her signature battle has been on the topic of illegal immigration. Martinez has been fighting to overturn a New Mexico law that allows illegal immigrants to obtain a drivers license.



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Vice President: Susana Martinez? - Elisabeth Meinecke

Martinez firmly believes allowing people to enter the country illegally puts the safety of the American public at risk.

But despite these and other qualifications, Martinez confirms to *Townhall* that she would turn down a ticket offer from the GOP nominee. ...

Read Martinez' full statement in the May issue of *Townhall Magazine*.

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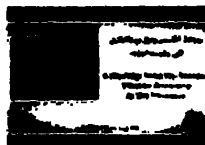
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Susana Martinez: What New Mexico's Governor Can Teach the GOP

Why the country's first Latina governor might be Mitt's best veep pick.

by [Andrew Romano \(/contributors/andrew-romano.html\)](#) | May 14, 2012 1:00 AM EDT

Unless you happen to live near vast stretches of sand, sagebrush, and adobe, chances are you have no idea who Susana Martinez is. That's a pity, because she may be the boldest, savviest vice presidential pick Mitt Romney could make.

Consider Romney's vulnerabilities. He trails Barack Obama by as many as 56 percentage points among Latinos. Women prefer the president by roughly 20 points. Conservatives still distrust him, and populists in both parties suspect that he's a vulture capitalist who likes to fire people. New Mexico's Martinez, the first Latina governor in U.S. history, would solve each of these problems, or help as much as any running mate conceivably could. Within minutes of meeting me in Santa Fe one morning last month, she is speaking fluent Spanish, reminiscing about the .357 magnum she acquired at age 18, and describing her family's mom-and-pop security business back in El Paso. A scout from Boston would have been very pleased.

Still, it isn't until a few hours later, when we arrive at Albuquerque's Mission Avenue Elementary School, that Martinez demonstrates precisely how potent a sidekick she could be. By now, everyone knows that Romney tends to act like a malfunctioning automaton around real people: stiff, preprogrammed, out of sync. Martinez, who has stopped by to read *If You Give a Mouse a Cookie*, is different. A sturdy 52-year-old with a bronze bob, black jeans, and a cropped black motorcycle jacket, she sits "criss-cross applesauce," as she puts it, on the floor. She gently restores order every time the kids stand, squirm, squeal, or inch into the circle for a better view of the titular mouse and his hilarious milk mustache. And when she spots one glum little girl sitting off to the side by herself, she makes a point of getting her involved.

"Do you want to help me with my book?" Martinez asks. The girl glances up through her dark bangs. After a few seconds, she nods. "Tell me your whole name," Martinez says.



Gov. Susana Martinez speaks fluent Spanish and acquired a .357 Magnum at age 18. (Jesse Chehak for Newsweek)

"Mackenzie ... Slagle."

"Well, Mackenzie," the governor says. "I'm going to read from this book, and sometimes, reading sideways is hard. So I need you to help me."

Mackenzie smiles--and scoots to Martinez's side.

It's a small gesture: hardly the sort of thing that would, or should, earn someone a spot on the GOP ticket. Then again, it is also exactly the sort of thing--empathizing, being spontaneous, connecting with another human lifeform--that Romney can never seem to pull off by himself.

The question now is whether Romney, who pledged in January to consider Martinez for his cabinet and "some other positions as well," will be wise enough to keep his promise--and whether, if offered, Martinez will be ambitious enough to accept.

To thrive in the years ahead, Republicans must do a better job of appealing to three kinds of people: women, Latinos, Westerners. Simply put, the GOP needs to become less of a Mitt Romney party and more of a Susana Martinez party.

The trendlines tell the tale. Over the next 40 years, America's Latino population is projected to triple in size, from 47 million to 133 million, making it the fastest-growing source of potential votes in the country. Unfortunately, Republicans have been shedding Latino support in recent years: last time around, John McCain lost Latinos by 36 percentage points, roughly double George W. Bush's previous margin of defeat. As the GOP veers further and further to the right on immigration--both McCain and Bush supported comprehensive reform, something Romney refuses even to discuss--the chances of closing that gap will only

dwindle.

Women are also shying away from Republicans. The main reason Obama was able to beat McCain by 13 percentage points among female voters is that he won unmarried, working, and highly-educated types by double digits--groups that are growing as a percentage of the population. In contrast, the female voters who tend to support Republicans--married, stay-at-home, and non-college-educated women--have been losing market share for decades. If candidates like Romney continue to rely on white, working-class, largely Southern men for most of their support--Democrats are also gaining ground in the burgeoning Sun Belt and Mountain West regions--they will find it harder and harder to compete.

Could Martinez help forestall that fate? She may be dead-set against running with Romney, like she says. (When I ask how she would respond if the presumptive nominee came calling, Martinez cuts me off. "No," she says. "Absolutely no.") Or she may be willing, like Joe Biden, to change her mind. At this point, the buzz for Martinez is still building: the Washington Post recently ranked her fifth on its veepstakes list, and GOP strategists such as Mark McKinnon are only beginning to chatter about how "she checks so many boxes Republicans need." Maybe a few more months of flattery will soften her up. I doubt even she knows for sure.

What I don't doubt is that Martinez has bigger plans for herself, and her party, than her demurrals seem to suggest.

The Mission Avenue event is over, and I've just settled into the backseat of the governor's beige Suburban. She already has a BlackBerry pressed to her ear. I don't speak Spanish, but she seems to be telling someone how to tend to her garden: water "las vides" for "cinco minutos," use "la sprinklerita" on "las rositas." Then she pauses: "Y la Lettie?"

Not many people from Martinez's modest, minority background end up becoming Republican politicians. That much is obvious. But the most consequential difference between the governor and the GOP's wealthy, white-bread figureheads may be her relationship with her older sister Leticia, who has cerebral palsy. The challenges of caring for Lettie have shaped Martinez's personality and her governing philosophy in ways that could counteract the party's callous, 1-percenter reputation--and resonate with voters, especially women, who tend to recoil from social conservatives.

The Martinez sisters were born in the border city of El Paso, Texas to a secretary mother and boxer-turned-deputy-sheriff father, both of whom grew up in the Segundo Barrio, a notoriously poor, predominantly immigrant part of town. The girls' great-grandfather, Toribio Ortega, fired the first shots of the Mexican Revolution; their grandfather, Adolfo Martinez, didn't become a U.S. citizen until 1942, even though he entered the country (lawfully) more than two decades earlier. The Martinezes lived in public housing for years before moving to Thomas Manor, a blue-collar Mexican-American neighborhood surrounded by farmland. It was there that Susana began to watch over Lettie. In elementary school, she would push their twin beds up against the wall and lay on the outside to prevent her sister from falling to the floor while she slept. After their mother died in 2006, Martinez immediately became Lettie's legal guardian.

When the governor hangs up, I notice that she looks distraught; Lettie, who still lives with her longtime caretaker in the Martinez's Las Cruces home, couldn't come to the phone. I ask if she wishes her sister could have moved with her to Santa Fe. "When I go to see her, she says she misses me," Martinez begins. "But I cannot..." She trails off, and her eyes begin to water. After a moment, she continues. "The other day, Lettie fell on her face. Straight on. A swollen nose, a cut forehead, a swollen lip. So right away I had to go down

there and make sure she was OK."

At 16, Martinez decided not to have children of her own. "In a way, I saw myself as already having raised a child," she tells me. But because of her experience with Lettie, she has always believed that Washington has a role to play in protecting the most vulnerable Americans—a stance that clashes with the Republican Party's current cut-at-all-costs mentality. Despite inheriting a \$450 million deficit, Martinez managed to wring an additional \$6 million in Medicaid money out of the New Mexico legislature during her first year as governor. Her latest budget upped the ante to \$45 million. "Lettie is on Medicaid," Martinez explains. "So I believe in providing services to adults and children who can't take care of themselves." The vast majority of national Republicans, including Romney, support Paul Ryan's Path to Prosperity, which would decimate federal spending on the poor and sick. Martinez thinks they should reconsider. "Sometimes Republicans engage in number-crunching analysis that doesn't always take the neediest into account," she tells me. "We have to factor them in before we start proposing these cuts."

It was the opportunity to advocate for people like Lettie that drew the governor to public service in the first place. Growing up, Martinez was so argumentative that her grandmother nicknamed her "la abogada," or the little lawyer. As soon as she graduated from law school, she went to work in Las Cruces as a prosecutor. There, she met detective Chuck Franco, who became her second husband. "I learned to say 'yes ma'am' at an early stage," he recalls. Ten years later, in 1996, Martinez was elected Dona Ana County district attorney with nearly 60 percent of the vote. She went on to win convictions in several high-profile child-abuse and corruption cases, including the infamous "Baby Brianna" Lopez murder, in which Brianna's father and uncle repeatedly raped, bit, and threw the five-month old from ceiling to floor until she died from brain injuries.

Until the mid-1990s, Martinez had always "attended Democratic meetings and supported Democratic candidates." But as she prepared to run for D.A., she decided to re-register as a Republican. Martinez has told her conversion story so many times that local politicians can recite it by heart. A couple of Las Cruces conservatives invite her and Franco to lunch. Martinez is wary. But as the Republicans talk, she begins to change her mind. She finds that she agrees with them on issue after issue. She's pro-welfare reform, having seen the "cycle of dependency" firsthand as a prosecutor. She's pro-Second Amendment, having carried a gun since she started "securing bingos in parking lots at the Catholic Church" for the family's security firm as a teenager. (The .357 was so large that "as I walked, I got a nice little bruise on the hip," she recalls. "But my dad said, 'You'll only need to fire once.'") She's against higher taxes, having witnessed her father struggle to hire new employees. And she's opposed to abortion, being a Catholic and all. Afterwards, Martinez turns to Franco in the car. "I'll be damned," she says. "We're Republicans. Now what?"

To me, Martinez's tale has always seemed a bit too tidy. So as we speed along I-25 in the Suburban, I start to push back: Didn't you realize you agreed with Republicans on abortion long before this revelatory lunch? And what about welfare reform, the hottest topic in Washington at the time? But Martinez just stares at me. "Nope," she finally says. "I didn't pay a whole lot of attention. I registered Democrat because my parents did. They were, we were. There was no thinking behind it. And you'll hear that over and over here in New Mexico." Which, of course, is the moral of Martinez's story, and the reason she repeats it so often: There are a lot more Latinos out there like me, and a lot more of them could be Republicans. But we need to properly persuade them. "As a Hispanic, I grew up this way," she tells me. "I didn't suddenly become conservative. It was only the label that changed."

At the time, Martinez's conversion wasn't especially convenient; Democrats and independents outnumber Republicans in Dona Ana County two-and-a-half to one. But the switch now positions her as a potential party

leader: who better to convert Latino Democrats, the thinking goes, than a Latina who used to be a Democrat?

Martinez seems to agree. As we sit down at a local Starbucks, I ask about immigration. It's a topic she has been reluctant to discuss since winning the Republican primary in 2010, so what comes next is surprising: a battle plan that contradicts nearly everything the GOP has been doing and saying since 2007, Romney's "self-deportation" strategy included. "Self-deport?" What the heck does that mean?" Martinez snaps. "I have no doubt Hispanics have been alienated during this campaign. But now there's no opportunity for Gov. Romney to have a sincere conversation about what we can do and why."

Naturally, Martinez has some suggestions. First, Republicans should remind Latinos that Obama pledged to pass comprehensive immigration reform by the end of his initial year in office, but "didn't even have the courage to try." Next, the GOP should outflank the president--on the left--by proposing its own comprehensive plan. "I absolutely advocate for comprehensive immigration reform," Martinez says, sipping a caramel macchiato. "Republicans want to be tough and say, 'Illegals, you're gone.' But the answer is a lot more complex than that." Martinez envisions an approach "with multiple levels": increased border security; deportation for criminals; a guest-worker program for people who want "to go freely back and forth across the border to work"; a DREAM Act-style pathway to citizenship, through the military or college, for children brought here illegally by their parents; and a visa (coupled with a "penalty" or a "tagback") that allows rest of the illegal population to remain in the U.S. while they follow standard naturalization procedures.

Martinez's point is not that Republicans should peddle so-called "amnesty." In New Mexico, she's taken a lot of heat from Latinos for repeatedly pushing to repeal a state law that allows illegal immigrants to obtain driver's licenses; she also opposes a standalone DREAM Act, arguing that politicians can't "fix [immigration] by saying, 'Here's the DREAM Act and we're done. It has to be part of a larger plan.'" She simply believes that a more pragmatic approach will help Republicans in the long run, particularly if it's paired with the sort of issues-based appeal that inspired her to switch parties and a more aggressive campaign to recruit Hispanic candidates for local office. Maybe then the GOP can finally do what she did in her first statewide contest: approach the magic 40-percent mark among Latino voters. That alone would be enough to swing a presidential election.

"We've got to stop with the rhetoric," Martinez says on her way out of Starbucks. "I'm so tired of the rhetoric. 'Lower taxes,' you know. 'More opportunity.' Da da da. It's this five-liner of nothingness. There have to be some distinctions for people to latch onto."

In Washington, pundits are already whispering that Martinez is too much like her 2010 endorser Sarah Palin--an unfamiliar first-term female governor from a far-flung state--for the risk-averse Romney campaign to gamble on.

Superficially, that might be true, and Martinez's record is not without the usual oppo-research fodder. New Mexico progressives accuse her of awarding casino contracts and energy appointments to campaign donors; a mentally ill man named Stephen Slevin was held without a trial for two years at a county prison while she was D.A.; and she was briefly fired in 1992 when her then-boss accused her of bringing in a case her husband had investigated. (Martinez sued, then settled out of court.) Still, since taking office, Martinez has compiled a safe, conservative-friendly resume while methodically avoiding the sort of showy mistakes that sunk Palin in 2008. Even though some initiatives have fallen short, she has managed to cut spending by roughly \$150 million without raising taxes, scale back the state workforce by more than 5 percent, ease environmental regulations, preserve tax breaks designed to attract large corporations, eliminate redundant

taxes on small businesses, and increase local control over public schools by opting out of No Child Left Behind. "She's been well-received in the state, but she has not come out a commanding winner in her battles with the Democratic legislature," says Christine Sierra, a politics professor at the University of New Mexico. "So the jury is still out."

With Martinez, symbolic gestures have at times seemed to stand in for actual political risk-taking. As soon as she took office, for example, she fired the gubernatorial chefs, grounded the gubernatorial jet, and halved the gubernatorial staff. But the cuts she made, while real, were not nearly enough, on their own, to balance the budget--a feat that ultimately required savings and tax hikes phased in from the previous administration, plus a serendipitous spike in oil revenues. The theory in Santa Fe is that Martinez is more interested in preserving her popularity--with a 60 percent approval rating, she's one of the country's most well-liked governors--than in implementing sweeping change. "She hasn't done a whole lot," says Joe Monahan, a prominent Santa Fe political blogger and consultant. "Nothing has passed that has pissed a lot of people off. This isn't big vision stuff. She's maintaining a competent, minimalist administration so there's nothing to hang around her neck during the next campaign."

At Starbucks, Martinez insists that she won't leave New Mexico anytime soon. "Partly it's my responsibility to my sister," she says. "Moving to Washington would be devastating to her. But also, I need to finish this job. I have to deliver the results I promised, because as the first Hispanic female governor, I'm going to pave a path of some kind. I want it to be one that little Hispanic girls will want to follow."

I nod, but I'm reminded of a story Martinez told me when we first met, earlier today, around her kitchen table at the low-slung governor's mansion--or "residence," as she insists on calling it--in the hills north of Santa Fe. When she was 14, a group of teachers at El Paso's Riverside High School invited a handful of promising female students on a weekend retreat. Together, they talked about their hopes and dreams: where do you want to be in five years? where do you want to be in 10 years? When they got to 20 years, Martinez confessed that she was considering a career in politics. "I didn't know where and at what level," she recalled. "I didn't have a whole lot of role models to say, 'This much is possible, versus this much.' So I finally said, 'I think I'd like to be a mayor. I'd like to pull together a city and help do good things.' And they said, 'Why stop there?'"

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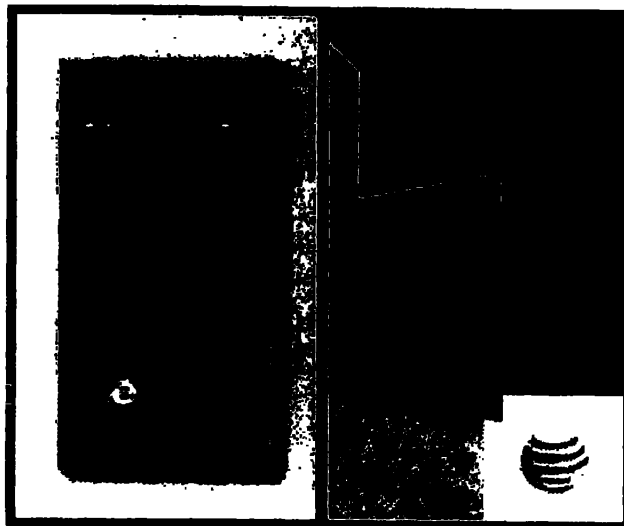
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Four ways Republicans can win Hispanics back

By Jeb Bush, Published: January 25

In the 15 states that are likely to decide who controls the White House and the Senate in 2013, Hispanic voters will represent the margin of victory.

For the Republican Party, the stakes could not be greater. Just eight years after the party's successful effort to won Hispanic voters in 2004, this community — the fastest-growing group in the United States, according to census data — has drifted away.



Although Democrats hold the edge, Republicans have an opportunity. We also have a record of winning Hispanic voters in certain statewide and national elections. Here are four suggestions on how Republican candidates can regain momentum with the most powerful swing voters.

First, we need to recognize this is not a monochromatic community but, rather, a deeply diverse one. Hispanics in this country include Mexicans, Puerto Ricans, Cubans and many others. Some came here 50 years ago to make a better life; others came last year. Some have lots of education, some have none. The traditional Republican emphasis on the importance of the individual has never been more relevant.

Nevertheless, there are common features and dreams across this community. Hispanics understand, either personally or through close family members, what it means to come here as an immigrant. They know how hard it is to function without a full working knowledge of English. They have often felt the sting of prejudice and the threats of gang violence. They tire of the stereotypes built by the media and some politicians. Like all voters, Hispanics respond to candidates who show respect and understanding for their experiences.

Second, we should echo the aspirations of these voters. The American immigrant experience is the most aspirational story ever told. Immigrants left all that was familiar to them to come here and make a better life for their families. That they believe this is possible only in America is the best expression of American exceptionalism I know. And on this score, Republicans have a winning message and record as the party of the entrepreneur. We are the party of the family business, and the family business is the economic heart of Hispanic communities.

Third, we should press for an overhaul of our education system. Republicans have the field to themselves on this issue. Teachers unions and education bureaucrats have blocked Democrats from serious reform — it will

happen only with Republican political leadership. But we have to move beyond simplistic plans to "get rid of the Department of Education" and focus on substantive, broad-based reform that includes school choice, robust accountability for underperforming schools and the elimination of social promotion, in which kids are passed along without mastering grade-level skills. Such improvements, it was noted in 2009, plus efforts to embrace digital learning, helped Hispanic students in Florida lead the nation among their peers. And Hispanic voters, who often feel their children are trapped in failing schools, notice.

Finally, we need to think of immigration reform as an economic issue, not just a border security issue. Numerous polls show that Hispanics agree with Republicans on the necessity of a secure border and enforceable and fair immigration laws to reduce illegal immigration and strengthen legal immigration.

Hispanics recognize that Democrats have failed to deliver on immigration reform, having chosen to spend their political capital on other priorities.

Republicans should reengage on this issue and reframe it. Start by recognizing that new Americans strengthen our economy. We need more people to come to this country, ready to work and to contribute their creativity to our economy. U.S. immigration policies should reflect that principle. Just as Republicans believe in free trade of goods, we should support the freer flow of human talent.

We need to connect immigration to other pro-growth policies, so that new Americans can apply their talents here and succeed. The United States needs an economy that is vibrant and dynamic, open to the contributions of new entrants. We have to reduce regulations across our economy, whenever they impede economic dynamism and flexibility in the labor market. We need secure energy supplies, radical tax reform and a reduced footprint of power of the state.

Immigration reform requires economic reforms. We must be able to assure new Americans the opportunity to succeed and contribute their talents.

And when they come, as surely they will, we must welcome them, no matter whether they speak Spanish or Creole or Portuguese. When we hear foreign languages in the streets of America, that is a validation of the Republican vision to create a place where people want to come and make their lives. Hispanics here speak or are learning English — not French, Chinese or Hindi. There is a lesson in that, and Republicans should be the ones to champion it.

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Romney opens new front against Obama, saying schools are failing

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By Sam Youngman
WASHINGTON | Wed May 23 2012 4:37pm EDT

(Reuters) - Republican presidential candidate Mitt Romney opened a new front on Wednesday in his fight against President Barack Obama, accusing him of presiding over a failing U.S. education system that is in the grip of union bosses who refuse to accept reforms.

In a rare diversion from his campaign focus on the weak U.S. economy, Romney laid out an education plan in a speech that represented his most overt appeal to date to Hispanic voters who have largely sided with the Democratic incumbent.

Although he trails Obama by a huge margin among Hispanics, Romney's address to a Hispanic business group avoided mentioning a top priority for them: how to overhaul the country's immigration system.

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Romney said millions of American children are getting a "third-world education," and offered proposals that he said would reward teachers for their results instead of their seniority. And he would give parents greater choice of where to send their children to school and take other steps to reduce the influence of powerful teachers' unions.

"I believe the president must be troubled by the lack of progress since he took office. Most likely, he would have liked to do more. But the teachers unions are one of the Democrats' biggest donors - and one of the president's biggest campaign supporters. So, President Obama has been unable to stand up to union bosses - and unwilling to stand up for kids," Romney said.

Romney's focus on education comes during a spirited battle in Washington over student loan programs. Obama's Democrats have been pushing for an extension of low-interest loan rates for federal student loans to avoid a doubling of the rates from 3.4 percent. After an extended partisan fight, a compromise with Republicans is expected by the July 1 deadline.

The former Massachusetts governor is running neck-and-neck with Obama in polls, a prelude to what could be a close election.

His education drive gave respite from fighting with Obama over how best to hasten growth of the U.S. economy, and increasingly heated rhetoric between the two over Romney's time as the head of a corporate buyout company Bain Capital.

HISPANICS AND EDUCATION

Hispanics will likely be crucial to the election.

A Wall Street Journal/NBC/Telemundo poll out this week showed Obama leading Romney with Hispanic voters 61 percent to 27 percent. Romney is only now starting a push to try to peel some of them away because of their potential influence in swing states like New Mexico, Florida, Colorado, Virginia and North Carolina.

But Romney went almost an hour at his event, including a speech and taking questions from the event moderator, without mentioning the U.S. immigration system and how he would deal with 12 million illegal immigrants in the United States.

During the Republican primary battle, Romney and his rivals upset many Hispanics by adopting hard-right immigration positions. Romney called for the "self-deportation" of illegal immigrants.

On Wednesday, he kept his speech to education, also a top issue for Hispanic voters although one that rarely ignites much passion on the campaign.

Hispanic Republican strategists said Romney was wise to keep his focus on education and the economy, noting that in several polls, Hispanic voters rate the economy well ahead of immigration as the issue they care about most.

"Clearly, it appears that Governor Romney has chosen to focus on what the vast majority of U.S. Hispanics and Latinos feel is of highest priority," said Daniel Garza, a Republican strategist and executive director of The Libre Initiative.

Standing before a banner that read "A Choice for Every Child," Romney laid out an education plan that relies heavily on bolstering and improving the No Child Left Behind education law engineered by Obama's Republican predecessor, George W. Bush.

Romney made more money and more access to charter schools the centerpiece of his platform, but he launched a strong attack on teachers' unions.

"The teachers' unions are the clearest example of a group that has lost its way," Romney said.

The education speech was a welcome break for Romney, who has been under a barrage of

words against Romney in attacks

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#20 **Protecting classroom spending while balancing the budget**

We don't have to make a choice between balancing the budget and funding our classrooms. We can do both. On April 8, Susana Martinez signed a budget that balances the budget while protecting classroom spending.

Her budget reduces 1.4 percent of the bureaucracy, while protecting classroom spending. To protect classroom dollars, Susana Martinez cut wasteful spending elsewhere, including:

- Eliminating the highly-paid chefs in the governor's mansion
- Selling the expensive state jet
- Cutting governor's office spending by 10%

Grading the schools

The grades on report cards tell parents how our children are performing, and help hold them accountable for their school work. We should hold schools accountable in the same way.

Susana Martinez established "School Grading" that will grade individual schools on an "A through F" scale. This will allow us to identify failing schools in need of improvement and reward high-performing ones.



Governor Martinez is also creating an online "Sunshine Portal" that allows parents to see where administrators are spending our education dollars.

Working across party lines to reform schools

Susana Martinez is working with members of both parties to reform our schools. Martinez even won the support of the Obama administration for key reforms. She is working across party lines to:

- End "social promotion" so kids master the basics before being passed to the next grade
- Intervene early to help struggling kids to ensure they can read by the 3rd grade
- Evaluate teachers based on student performance to reward our best teachers with higher pay

Under Governor Martinez, AFS will spend a greater percentage of their budget in the classroom than ever before.





N.M. Needs Someone Who Will Speak Up; Denish Hasn't

By Harvey Yates Jr.

Chairman, N.M. Republican Party

In many ways New Mexico has been a good training ground for Obamafication: Much of the enterprise system in New Mexico is dependent on government largess; here, government often chooses the business winners and losers; for several years there has been a marked lack of prudence in managing the state's financial resources, and were New Mexico a nation, it likely would challenge Argentina in the race to debase its currency. Furthermore, in New Mexico — though perhaps not yet a recognized characteristic of Obamafication — businesses regularly pay protection money in the form of political contributions.

For six years New Mexico has been run as if it is the domain of a caudillo. Cross him and there will be retribution! Want to do business with the state? Pay his friends; they will take care of him. Want to do business in the state? A contribution will do. Maybe. But beware the regulations which are set to drive business to his friends.

Mr. Caedille can't do it alone. Choose this unsavory: a former druggie in the south, a sanctioned broker in the center, a sanctioned broker in the Capital. And more.

Obama chose well for his Commerce secretary. Commerce is so well positioned to squeeze and cajole business. Unfortunately, what likely made Richardson right for the Commerce Department also may make him right for an indictment. Timing is everything, as they say.

Will the Richardson-Denish administration go down in New Mexico history as the most corrupt administration since World War II, if not since statehood? Probably. Hardly a day passes without a news story having to do with corruption.

Will Richardson survive his term? I think not. I predict that the long overdue, serious investigation of corruption in this state will cause his departure. I predict that Diane Denish will be the incumbent governor against whom a Republican runs in 2010.

Some would fault Richardson for the corruption but would not fault Denish. But, if Denish is not to be faulted, why hasn't she yelled, "Stop"? Corruption has been so prevalent in this state, and so embedded in the Democrat power structure, it is not believable to suggest that she has been unaware of it. Denish has been MIA in opposing corruption. She has been no Pauline Revere.

She moved to the other side of the table when Richardson repeatedly poked at the side of her leg. Why hasn't she moved to the other side of the table on corruption? Is it not as important? If she has lacked the courage to speak vigorously against corruption, she is unfit to be governor.

Ms. Denish might reflect on this statement made by Martin Luther King Jr.: "To accept passively an unjust system is to cooperate with that system."

This state must be cleaned up. We must stop the madness. The way to do that is to elect a governor who is dedicated to scrubbing the state clean. Democrats in this state, at this time, are not constituted to do that.



The New York Times

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September 12, 2009

Gov. Richardson's Future Is Again Talk of Santa Fe

By JAMES C. MCKINLEY Jr.

SANTA FE, N.M. — Gov. Bill Richardson got a standing ovation at a speech last week, and he said it felt like a hug from an old friend. It had been more than nine months since he was received with anything more than polite applause.

Mr. Richardson has emerged battered but unbeaten after a yearlong federal investigation into accusations that his aides steered bond business to a big campaign contributor. Prosecutors abandoned the inquiry two weeks ago, but not before making it impossible for the governor to accept a cabinet post in the Obama administration, crimping his influence at home and damaging his popularity.

"I now know the burden of being unfairly accused," Mr. Richardson said this week in an interview.

"A cloud has been lifted," he continued, "and I feel vindicated, and I feel like I'm back 100 percent."

It has been a rough period for Mr. Richardson, a Democrat and arguably the most popular and powerful governor in his state's history.

Now, however, he has returned to form, political scientists here say. His poll numbers are creeping up, and a national appointment is again a possibility. Everyone in Santa Fe, the capital, is speculating about what he will do next. He has 14 months left as governor and cannot serve another term.

In recent weeks, the governor has been active on the international scene, sparking rumors that President Obama might offer another assignment. He was in Cuba on a trade mission the day it was announced that the United States attorney in Albuquerque had abandoned efforts to bring criminal charges against him, leading New Mexican pundits to wonder aloud if he might be named special envoy to that island.

He also hosted a delegation of North Korean officials in the state, after having played a minor advisory role in the release of two American journalists imprisoned there. Recently, he took on another international mission, agreeing to try to help free three American hikers imprisoned in Iran.

Mr. Richardson said these freelance forays into international affairs signified nothing. He is emphatic that he is not angling for a job in Washington, although, as always, he does not rule anything out.

"I'm not planning my next move to Washington," said the governor, whose own presidential campaign

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From Whitney Cheshire, communications director for the Republican Party of New Mexico:

"This is a very serious and unfortunate situation for New Mexicans. Our state has been under one party's rule for decades and is now riddled with scandal. The Republican Party of New Mexico commends the FBI and the US Attorney's office for their work. Like the rest of the country, we are waiting to see what comes of the investigation into Bill Richardson's administration."

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WEDNESDAY, JUN 6, 2012

Gov. Martinez Joins Romney Team

By Associated Press on Wed, Jun 6, 2012



POSTED AT: 12:30 pm

ALBUQUERQUE, N.M. (AP) — Gov. Susana Martinez has been appointed to a new Hispanic leadership team announced Wednesday by Republican presidential nominee Mitt Romney.

Romney, who won the New Mexico primary on Tuesday, said Martinez will be an honorary co-chair of his "Juntos Con Romney" team that will help guide his campaign on Hispanic initiatives and outreach.

The Republican Party has been working hard to woo Hispanic voters, who make up the fastest growing minority voter block but who traditionally have voted Democratic.

Martinez is considered one of several rising GOP Hispanic stars under consideration as a running mate for Romney. While she has supported the nominee, she has also been critical of the tone Romney and other GOP presidential candidates took against immigration during the primary.

Suggested Reading:

- [Romney Name-Drops Martinez 01/21/2012](#)
- [Gov. Martinez Again Mentioned for a Job in Republican White House 01/26/2012](#)
- [Newweek Profiles Gov. Susana Martinez 05/14/2012](#)
- [Martinez Not Planning To Endorse a Candidate for GOP Presidential Nomination 12/08/2011](#)
- [Democrats Target GOP's Romney in Ad 11/30/2011](#)


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
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