

January 16, 2024

The Honorable Joseph R. Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear President Biden,

Throughout your long and distinguished career in public service, you have been a stalwart defender of the rights of every American citizen. I was fortunate to work alongside you in defending civil rights on multiple occasions in the U.S. Senate. Today, I write to inform you of new civil rights violations that are happening in your home state of Delaware. While I am confident you are not involved in these violations, I ask you to use your good offices to put an end to them.

The violations in question come from the Delaware Department of Elections, led by Commissioner Anthony J. Albence. In a letter sent to No Labels Delaware last week, Commissioner Albence has moved to block No Labels Delaware from securing ballot access without just cause, silencing the voices and infringing upon the voting rights of more than 1,300 Delaware voters who have registered with this new party. Without party registration, No Labels Delaware will lose access to the ballot in the state. As you know, the right of voters to influence the ballot is a protected civil right just like the right to vote, because voting is of little use if citizens have no right to expand their choices by getting on the ballot. Even nations like North Korea and Iran allow voting, but the voting is meaningless because the governments control access of political parties and candidates to the ballots.

It is clear to No Labels Delaware that this action is being done to block competition in the 2024 presidential election. The pretext for disqualifying No Labels Delaware is an accusation, based on hearsay and anonymous sources, that No Labels Delaware is “tricking” voters during the registration process. No Labels Delaware, however, uses best-in-class measures to prevent confusion among all voters, such as having its organizers wear t-shirts that say, “THIS IS NOT A PETITION,” in bold letters and requiring them to complete multiple rounds of training. It also uses only the official form, published by Commissioner Albence himself, that features “All-in-One Form to Register to Vote” in bold at the top.

No Labels Delaware was not given a chance to respond to the baseless accusations, and Commissioner Albence rushed into a decision to disqualify our state affiliate over the alleged confusion of no more than 2 percent of its registered voters. Even if these voters were confused despite our best efforts, it does not invalidate the other 98 percent of voters registered. Those voters—and all voters—have every right to raise their voices in support of a potential

independent option for president in 2024, and we tarnish our basic democratic principles by denying them that right.

Commissioner Albence has also infringed on core civil rights by declaring that No Labels Delaware may not actively encourage or approach voters to register with it and must instead wait for voters to come to their organizers—which, of course, is impossible if the organizers cannot make themselves known to voters. This is a flagrant violation of First Amendment rights to speech and assembly and Fourteenth Amendment rights to association. It places No Labels Delaware, intentionally, in a catch-22 whereby it is unable to qualify for the ballot and unable to do anything that would allow it to qualify.

Competition and choice are the foundations of democracy and its greatest source of strength. Keeping voters from expanding their choices in an election by denying access to the ballot should never be allowed in our democracy and especially now when trust in our political system is at an all-time low.

I respectfully ask you to help put an end to this shameful attempt to silence voters and prevent choice and competition in the upcoming election. Thank you.

Sincerely and respectfully,

A handwritten signature in blue ink, appearing to read "J. Lieberman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Senator Joseph I. Lieberman