

46 - Greg Baker

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

VIA FEDERAL EXPRESS

June 2, 2006

2006 JUN -7 A 9:10

Lawrence H. Norton, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

MUR # 5759

**Re: Complaint against the McCloskey for Congress Committee**

Dear Mr. Norton:

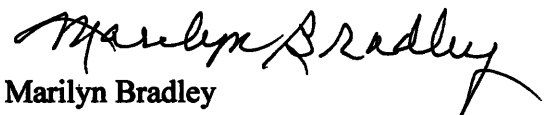
We respectfully file this complaint against the McCloskey for Congress Committee, the principal campaign committee for Kathy Scott, a candidate for the U.S. House of Representatives in California's 11th Congressional District, for violations of federal law requiring disclaimers on public communications.

Specifically in question are door-to-door campaign flyers and a doorhanger that McCloskey distributed to households in the 11<sup>th</sup> district. See Exhibit A. The two flyers and doorhanger promote McCloskey's candidacy by attacking the positions of his primary opponent, Congressman Richard Pombo. The handout lacks a disclaimer.

Federal law requires that political committees include a disclaimer on all public communications, regardless of whether the communication expressly advocates the election or defeat of a clearly identified candidate or solicits funds in connection with a federal election. Solicitations for a federal candidate or a federal political committee are considered public communications that require a disclaimer. 2 U.S.C. 441(d).

McCloskey's campaign handout clearly solicits votes for his campaign and must therefore be considered a public communication requiring a disclaimer, which it lacks. In light of this violation, we respectfully request that the Commission investigate this matter and penalize Pete McCloskey, accordingly.

Respectfully,



Marilyn Bradley  
116 Sedgefield Court  
San Ramon, CA 94583

Enclosures: Exhibit A (3 pieces - 2 flyers, 1 doorhanger)

Sworn before me this \_\_\_\_\_ day of June, 2006.

529 ATTACHED

NOTARY PUBLIC

27190270763

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

State of California

County of CONTRA COSTA } ss.

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

Signature of Document Signer No 1 \_\_\_\_\_ Signature of Document Signer No 2 (if any) \_\_\_\_\_

Subscribed and sworn to (or affirmed) before me on this

3 day of JUNE, 2006, by  
Date Month Year

(1) MARILYN BLADLEY,  
Name of Signer

- Personally known to me
  - Proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)
- (and

(2) \_\_\_\_\_  
Name of Signer

- Personally known to me
- Proved to me on the basis of satisfactory evidence to be the person who appeared before me.)



E. P. Spandau  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document*

**Further Description of Any Attached Document**

Title or Type of Document \_\_\_\_\_

Document Date \_\_\_\_\_ Number of Pages \_\_\_\_\_

Signer(s) Other Than Named Above \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER #1

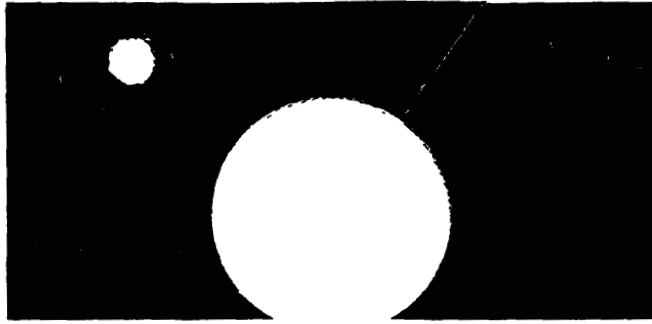
Top of thumb here

RIGHT THUMBPRINT OF SIGNER #2

Top of thumb here

27190270764

27190270765



**ELECT FORMER CONGRESSMAN  
PETE MCCLOSKEY,  
a decorated Marine who supports  
REAL REPUBLICAN VALUES.**

**PETE MCCLOSKEY WILL:**

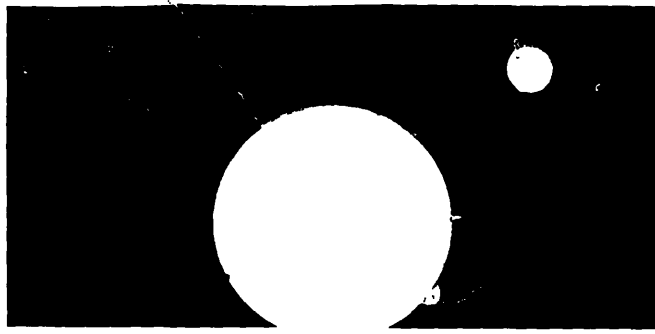
1. Restore Ethics to Congress.
2. Promote Fiscal Conservatism by cutting unneeded and irresponsible subsidies to special interest groups.
3. Support local businesses, not multi-national corporations and foreign interests.
4. Act on behalf of the district's interests, not special interests.
5. Work for balanced budgets, proposing a pay cut for Congress if they don't have a balanced budget.
6. Address traffic by widening 205, expanding BART and the ACE train.
7. Protect farmland and open space.
8. Bring new businesses to the district.
9. Maintain our clean air and water laws to protect public health.
10. Protect hunting, fishing and other recreational opportunities on Public lands.

*Washington Needs a Change on June 6.*

**Vote for Pete McCloskey.**

*A Man of integrity, leadership and valor.*

[www.petemccloskey.com](http://www.petemccloskey.com)



# **WHAT HAS REPRESENTATIVE RICHARD POMBO DONE?**

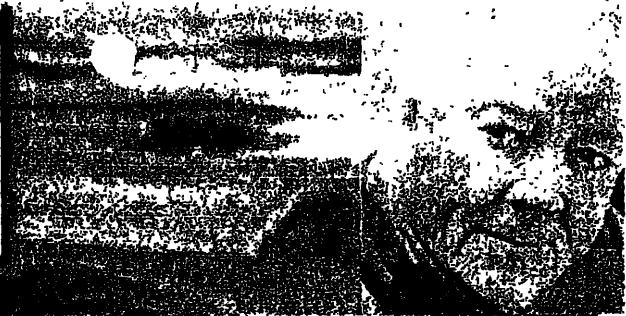
1. Voted to cut veterans' benefits while we're at war, earning him a 0 rating from the Disabled American Veterans.
2. Approved billions of dollars in government handouts to oil companies making record profits, while receiving more than \$200,000 in campaign contributions from them.
3. Repeatedly voted to weaken clean air and water laws endangering our public health.
4. Proposed selling off fifteen of our National Parks.
5. Failed to honor his commitment to term limits.
6. Promoted the boondoggle "Pombo highway" that will cost taxpayers billions and increase the value of Pombo family property.
7. Voted to increase his own salary six times, while increasing the federal deficit.

**RETIRE  
RICHARD POMBO.**

27190270786

# McCLOSKEY

## FOR CONGRESS-11TH DISTRICT



Are YOU registered as "Decline to State?"

YOU can help elect our next Congressman

Ask for a Republican ballot when you go to the polling place

On June 6<sup>th</sup> Vote for an Ethic of Public Interest and Trust

Pete McCloskey – Republican for Congress

**"Real Republican" Pete McCloskey:** "I have served for 15 years in the Congress, in military or civilian service under ten Presidents from 1945 until 2000 and during three wars and I have experienced the privilege to fight in one. I feel strongly that the Republican Party needs to return to traditional values of honesty, high ethical principles, fiscal responsibility and a reasonable balance between economic progress and environmental protection. We now have the ability to correct the course of the government and I welcome your support."

**"DeLay Republican" Richard Pombo:**

- Hand-picked by indicted former Majority Leader Tom Delay to Chair the House Resources Committee.
- One of the top recipients of money from admitted felon Jack Abramoff among California Congressman.
- Declared one of the "13 Most Corrupt Members of Congress" by a non-partisan watchdog group.

**Mr. Pombo's extreme positions and "Special Interests" politics affect his vote on every issue:**

**THE ENVIRONMENT** Pete McCloskey respects the environment and will protect it:

- Pete McCloskey co-authored the Endangered Species Act; Mr. Pombo is working to destroy it.
- Pete McCloskey opposes oil and gas drilling off the CA coast; the incumbent thinks it's a good idea.
- The incumbent even proposed selling off 15 National Parks and other public lands for development!

**PUBLIC HEALTH and TRANSPORTATION:** Pete will vote to protect the public health against special interests and strongly supports needed I-580/680 corridor projects and I-205 widening:

- Mr. Pombo recently voted to eliminate California's popular Prop 65 labeling law, which warns consumers when cancer-causing or other harmful chemicals are present in products or foods.
- Mr. Pombo voted to exempt MTBE manufacturers (located in DeLay's district) from all civil liability associated with cleaning up contaminated groundwater in CA, shifting the burden to us.
- Mr. McCloskey supports a ban on assault rifles; Mr. Pombo believes owning one is a "right."
- Richard Pombo has consistently FAILED to support veterans for their service to our country, receiving a shameful "0" rating from Disabled American Veterans in 2003, 2004, and 2005.
- Mr. Pombo has done little to improve transportation in the 580/680 corridors.

**FISCAL RESPONSIBILITY** Pete McCloskey advocates balanced budgets and responsible spending:

- Federal budget deficits and foreign trade deficits are at all-time highs because of Mr. Pombo's support of Administration policies. Your children will pay for this excess for the rest of their lives.

VOTE FOR PETE McCLOSKEY ON JUNE 6TH  
*It's time to trade up to a better Congressman!*  
For more information please go to <http://www.petemccloskey.com>

27190270767

# McCLOSKEY

## FOR CONGRESS-11TH DISTRICT



**“A Community of Character” deserves a Congressman of Character**

## **On June 6<sup>th</sup> Vote for an Ethic of Public Interest and Trust Pete McCloskey – Republican for Congress**

**“Real Republican” Pete McCloskey:** “I have served for 15 years in the Congress, in military or civilian service under ten Presidents from 1945 until 2000 and during three wars and I have experienced the privilege to fight in one I feel strongly that the Republican Party needs to return to traditional values of honesty, high ethical principles, fiscal responsibility and a reasonable balance between economic progress and environmental protection We now have the ability to correct the course of the government”

### **“Delay Republican” Richard Pombo:**

- Hand-picked by indicted former Majority Leader Tom Delay to Chair the House Resources Committee.
- One of the top recipients of money from admitted felon Jack Abramoff among California Congressman.
- Declared one of the “13 Most Corrupt Members of Congress” by a non-partisan watchdog group.

### **Mr. Pombo’s extreme positions and “Special Interests” politics affect his vote on every issue:**

**THE ENVIRONMENT** Endorsed by Republicans for Environmental Protection AND the California League of Conservation Voters, Pete McCloskey respects the environment and will protect it

- Pete McCloskey co-authored the Endangered Species Act; Mr. Pombo is working to destroy it.
- Pete McCloskey opposes oil and gas drilling off the CA coast; the incumbent thinks it is a good idea.
- The incumbent even proposed selling off 15 National Parks and other public lands for development!

**PUBLIC HEALTH and TRANSPORTATION:** Pete will vote to protect the public health against special interests and strongly supports needed I-580/680 corridor projects and I-205 widening:

- Mr. Pombo recently voted to eliminate California’s popular Prop 65 labeling law, which warns consumers when cancer-causing or other harmful chemicals are present in products or foods.
- Mr. Pombo voted to exempt MTBE manufacturers (located in DeLay’s district) from all civil liability associated with cleaning up contaminated groundwater in CA, shifting the burden to us.
- Mr. McCloskey supports a ban on assault rifles; Mr. Pombo believes owning one is a “right.”
- Richard Pombo has consistently FAILED to support veterans for their service to our country, receiving a shameful “0” rating from Disabled American Veterans in 2003, 2004, and 2005.
- Mr. Pombo has done little to improve transportation in these corridors, but instead supported two unnecessary multi-billion dollar freeway projects – one of which would greatly increase the value of property owned by his family.

**FISCAL RESPONSIBILITY** Pete McCloskey advocates balanced budgets and responsible spending

- Federal budget deficits and foreign trade deficits are at all-time highs because of Mr. Pombo’s support of Administration policies. Your children will pay for this excess **for the rest of their lives.**

**VOTE FOR PETE McCLOSKEY ON JUNE 6<sup>TH</sup>**

***Trade up to a better Congressman!***

**For more information please go to <http://www.petemccloskey.com>**