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FEC MAIL CENTER

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FEDERAL ELECTION  
COMMISSION

2010 OCT 19 PM 12: 20

OFFICE OF GENERAL  
COUNSEL

General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

RE: Complaint against Sestak for Senate and Joseph A. Sestak, Jr.

MUR #

6398

To Whom It May Concern:

Pursuant to 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4, Mary Barket, an individual voter in the Commonwealth of Pennsylvania, files this Complaint against Sestak for Senate, the principal authorized campaign committee of Joseph A. Sestak, Jr., the Democratic nominee for the United States Senate from Pennsylvania (collectively, "Sestak").

This complaint is filed against Sestak for violation of the Federal Election Campaign Act of 1971, as amended ("the Act" or "FECA") and the regulations of the Federal Election Commission ("the Commission" or "FEC"), specifically for not abiding by the requirements of federal law for a proper disclaimer on television advertisements sponsored by a federal candidate.

The Commission's regulations at 11 C.F.R. §110.11(c)(3)(iv) require a federal candidate to satisfy certain spoken requirements of identification and authorization for television advertisements sponsored by the candidate's campaign, which must include the candidate's stating his name and the office sought as well as a statement that the candidate has approved the message / advertisement.

Sestak is presently airing television commercials during which he states neither his name nor the federal office sought in the 'Stand By Your Ad' disclaimer. The script of the Sestak ad is:

*Joe Sestak Ad: "I'm Joe Sestak and this is Bell. My family loves Bell, but she can make a mess, and we have to clean it up. I think about Bell when I see Congressman Toomey's ads attacking me. Made me sick to bail out the banks, but I had to clean up the mess left behind by these guys (points to Toomey with Bush in background). They let Wall Street run wild. Now Pat Toomey's attacking me for cleaning up his mess. I authorize this message because we deserve leaders who solve problems instead of playing politics."*

Two of the three disclaimer requirements of the Commission's regulations are omitted from the disclaimer. In fact, there is barely a disclaimer at all on the advertisement, which fails to comply with the Stand By Your Ad requirements of federal law.

Upon information and belief, and based upon the facts set forth above, Sestak and his advertisements are in violation of the Federal Election Campaign Act of 1971, as amended.

Please contact me if you have further questions.

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Submitted,

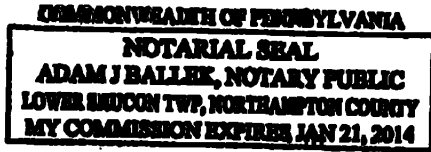
*Mary Barket*

Mary Barket

Nazareth, PA 18064

Before me this 15 day of October, 2010, appeared Mary Barket and under penalty of perjury did swear and affirm that the above and foregoing facts are true and correct to the best of her knowledge and belief.

SEAL



*Adam J. Ballek*  
 \_\_\_\_\_  
 Notary Public

My Commission Expires: January 21, 2014