



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4120

DATE FILMED 11-24-95 CAMERA NO. 2

CAMERAMAN J.E.G.

95043700166



National Republican Congressional Committee

Paton, M.C.
Chairman

Maria Cino
Executive Director

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Nov 2 1 45 PM '94

November 1, 1994

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
Suite 657
999 E Street, NW
Washington, DC 20463

MUR 4120

Dear Mr. Noble:

This letter constitutes a formal complaint, filed pursuant to 2 USC sec. 437g(a) of the Federal Election Campaign Act (hereinafter referred to as "the Act"), against Frank R. Mascara, candidate for Pennsylvania's Twentieth Congressional District, and the Mascara for Congress Committee. Supporting documentation for this Complaint follows as an Addendum.

LEGAL BASIS FOR COMPLAINT:

Section 441b of the Federal Election Campaign Act prevents corporations from making a "contribution or expenditure" in connection with the election campaign of any federal candidate. 2 USC 441b(a), 11 CFR 114.2 clearly states:

It is unlawful ... for any corporation whatever ... to make a contribution or expenditure in connection with any election at which ... a Senator or Representative ... are to be voted for, or in any connection with any primary election ... or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section ... Frank R. Mascara as a candidate and his committee, Mascara for Congress Committee, appears to have repeatedly violated this section. For reasons as set forth below, the FEC should investigate the following apparent violations of the Act by Mr. Mascara and his Committee.

FIRST CAUSE OF ACTION

On March 21, 1994, the Mascara for Congress Committee reported acceptance of a contribution of five hundred dollars (\$500.00) for their primary campaign from Rose, Schmidt, Hasley and DiSalle, a law firm located at 900 Oliver Building, Pittsburgh, PA 15222-5639. On September 2, 1994, the Mascara for Congress Committee reported the acceptance of a contribution for two hundred and fifty dollars (\$250.00) from the same firm for the general election.

320 First Street, S.E.
Washington, D.C. 20003
(202) 479-7020

95043700167

The Office of the Secretary of State for the State of Pennsylvania has reported that the above firm is a Pennsylvania professional corporation incorporated on April 22, 1992.

SECOND CAUSE OF ACTION

On April 5, 1994, the Mascara for Congress Committee reported receiving a primary campaign contribution of three hundred dollars (\$300.00) from the Community Medical Center of Washington County, Inc., located in Burgettstown, Pennsylvania.

The Office of Secretary of State for the State of Pennsylvania has reported that the above firm is incorporated as a non-profit corporation in the State of Pennsylvania, and has been such since January 3, 1973.

PRAYER FOR RELIEF

I am requesting that the Federal Election Commission conduct an investigation of the above complaints and seek civil penalties, as provided under section 437g(5)(A) of the Act, in the amount of five thousand dollars (\$5,000.00) for each violation.

The above is true and correct to the best of my knowledge, information and belief.

Sincerely,

Maria Cino
Executive Director
National Republican Congressional Committee

Addendum

Sworn and subscribed to
before me on this 15th
day of NOV, 1994.

Notary Public

My Commission expires on

7/14/99

M. D. Acton
Notary Public, District of Columbia
My Commission Expires July 14, 1999

95043700168

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedules for each category of the Detailed Summary Page

PAGE 2 OF 4
FOR LINE NUMBER 11a1

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

MASCARA FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Charles R. Baily P.O. Box 1070 Waynesburg, PA. 15370	Baily Insurance Occupation OWNER	3/18/94	500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$	500.00	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Stephen K. Hall 142 Sunset Drive Washington, PA. 15301	WASHINGTON COUNTY Occupation ADMINISTRATOR	3/19/94	300.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$	300.00	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
J.G. Kassab 701 Millcraft Center Washington, PA. 15301	SELF Occupation CONSTRUCTION CONSULT.	3/21/94	500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$	500.00	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Edward W. Caswell 610 Vincent Drive North Huntingdon, PA. 15042	NUTRITION, Inc. Occupation SALES MANAGER.	3/22/94	500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$	500.00	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Rose, Schmidt, Hasley & Gisalle 900 Oliver Building Pittsburgh, PA. 15222-5469	SELF Occupation ATTORNEYS AT LAW	3/21/94	500.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$	500.00	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Max Morgan 52 Willowbrook Lane Washington, PA. 15301	WASHINGTON COUNTY COUNCIL ON ECONOMIC DEVELOPMENT Occupation DIRECTOR	3/30/94	300.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$	300.00	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Joseph Pansino 370 ST. EXTENSION DONORA, PA 15033	N/A Occupation RETIRED	3/25/94	1000.00
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date > \$	1000.00	

SUBTOTAL of Receipts This Page (optional)

3600.00

TOTAL This Period (last page this line number only)

SCHEDULE A
ITEMIZED RECEIPTS
Contributions from other Political Committees

NAME OF COMMITTEE (in Full)

Any information copied from such Reports and Statements may not be sold or used by any person for the purposes of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Full Name Mailing Address	Name of Employer Occupation	Date MM/DD/YY	Amount
MAINTENANCE OF WAY POLITICAL LEAGUE 12050 WOODWARD AVENUE Detroit, MI 48203-3596 Receipt for [X]General	Aggregate YTD >	09/02/94	\$500.00
MORTGAGE BANKERS POLITICAL ACTION COMM. 1125 15TH. STREET, N.W. SUITE 700 Washington, DC 20005- Receipt for [X]General	Aggregate YTD >	09/22/94	\$1000.00
NRLCA PAC 1630 DUKE STREET 4TH. FLOOR Alexandria, VA 22314-3465 Receipt for [X]General	Aggregate YTD >	09/27/94	\$750.00
PNC BANK PAC PNC BANK BUILDING FIFTH AVENUE & WOOD STREET Pittsburgh, PA 15222- Receipt for [X]General	Aggregate YTD >	09/14/94	\$500.00
ROSE, SCHMIDT, HASLEY & DISALLE 900 OLIVER BUILDING Pittsburgh, PA 15222-5369 Receipt for [X]General	Aggregate YTD >	09/02/94	\$250.00
SAVINGS & COMMUNITY BANKERS OF AMERICA 900 19TH. STREET, N.W. SUITE 400 Washington, DC 20006- Receipt for [X]General	Aggregate YTD >	09/02/94	\$500.00
SEIU COPE FUND, PCC 1313 L STREET, N.W. Washington, DC 20005- Receipt for [X]General	Aggregate YTD >	09/15/94	\$1000.00
SUBTOTAL of Receipts This Page.....>			\$4500.00
TOTAL This Period.....>			

95043700170

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule(s) for each category of the Detailed Summary Page

PAGE 1 OF 2
FOR LINE NUMBER 1160

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committees.

NAME OF COMMITTEE (in Full)

MASCARA FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
PNC Bank PAC PNC Bank Building Pittsburgh, PA 15222			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	3-28-94	400.00
	Aggregate Year-to-Date > \$		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Integra Financial Corp. Pittsburgh, PA			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	4-4-94	500.00
	Aggregate Year-to-Date > \$		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
U.E.G. transportation Systems 1501 Lebanon Church Rd. Pittsburgh, PA 15236-1491			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	3-31-94	1,000.00
	Aggregate Year-to-Date > \$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
A.F.S.C.M.E 1645 L Street N.W. Washington, D.C. 20036			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	3-30-94	5,000.00
	Aggregate Year-to-Date > \$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Community Medical Center P.O. Box 167 Burgettstown, PA 15021			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	4-5-94	300.00
	Aggregate Year-to-Date > \$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
P.H & S Federal PAC 3000 Two Logan Square 18th & Arch Streets Philadelphia, PA 19103			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	4-5-94	1,000.00
	Aggregate Year-to-Date > \$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Doepkm, Keerlean, Weiss & Medved			
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	4-6-94	250.00
	Aggregate Year-to-Date > \$		

SUBTOTAL of Receipts This Page (optional)

8,450.00

TOTAL This Period (last page this line number only)

07-01-UNIT-NONP



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1994

Maria Cino, Executive Director
National Republican Congressional Committee
320 First Street, S.E.
Washington, D.C. 20003

RE: MUR 4120

Dear Ms. Cino:

This letter acknowledges receipt on November 2, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4120. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar (JES)
Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

95043700172



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1994

Edward Mendola, Treasurer
Mascara for Congress
831 Lincoln Avenue
Charleroi, Pennsylvania 15022

RE: MUR 4120

Dear Mr. Mendola:

The Federal Election Commission received a complaint which indicates that Mascara for Congress ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4120. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043700173

Page 2
Letter to Edward Mendola

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar (JES)

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

95043700174



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 10, 1994

Frank R. Mascara
831 Lincoln Avenue
Charleroi, Pennsylvania 15022

RE: MUR 4120

Dear Mr. Mascara:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4120. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

950437001/5

Page 2
Letter to Frank Mascaro

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar (JES)
Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

95043700176



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1994

Managing Partner
Rose, Schmidt, Hasley and DiSalle
900 Oliver Building
Pittsburgh, Pennsylvania 15222-5639

RE: MUR 4120

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that Rose, Schmidt, Hasley and DiSalle may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4120. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Rose, Schmidt, Hasley and DiSalle in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043700177

Page 2

Letter to Rose, Schmidt, Hasley and DiSalle

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar (428)

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

95043700178



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 10, 1994

Director
Community Medical Center
of Washington County, Inc.
P.O. Box 167
Burgettstown, Pennsylvania 15021

RE: MUR 4120

Dear Sir or Madam:

The Federal Election Commission received a complaint which indicates that the Community Medical Center of Washington County, Inc. (the "Medical Center") may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4120. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Medical Center in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

95043700179

Page 2
Letter to Community Medical Center

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar (JES)

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

95043700180

Law Offices Of
Mark E. Mascara

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Nov 21 10 42 am '94
Washington, Pennsylvania
(412) 222-7975
FAX (412) 222-8813

321 Fallowfield Avenue
Charlottesville, Pennsylvania 19822
(412) 489-0377
By Appointment Only

Mark E. Mascara

Dennis R. Paluso
of counsel

Natalie M. Garland
of counsel

November 18, 1994

Mary L. Taksar, Attorney
Office of General Counsel
6th Floor
999 East Street, N.W.
Washington, D.C. 20463

RE: MUR4120

Dear Attorney Taksar:

This is in response to the above referenced complaint filed by the National Republican Congressional Committee against the Mascara for Congress committee. Three (3) checks from two (2) entities were cited in the complaint. They were:

<u>Exhibit</u>	<u>Name</u>	<u>Date</u>	<u>Amount</u>
1-A	Rose, Schmidt, Hasley & DiSalle	March 21, 1994	\$500.00
1-B	Community Medical Center, Auxiliary Account	April 5, 1994	\$300.00
1-C	Rose, Schmidt, Hasley & DiSalle	August 30, 1994	\$250.00

Mascara for Congress has retained copies of checks received for fundraisers and contributions to the committee throughout the duration of its primary and general election campaigns. As part of its response, Mascara for Congress is including copies of the checks which are in question to provide you with the opportunity to see what the committee reviewed.

Contributions 1-A and 1-B were a result of a fundraising reception sponsored by Mascara for Congress. Enclosed you will find the following:

<u>Exhibit</u>	<u>Description</u>
2-A	Fundraising solicitation letter
2-B	Copy of fundraising ticket

In both instances of contributions marked 1-A and 1-B, each solicitation included a letter from Mascara for Congress (Exhibit 2-A) and tickets to the affair (Exhibit 2-B). Please note the last paragraph in the solicitation letter indicating corporate checks are not permitted. In every instance in which Mascara for Congress conducted fundraising events, those being solicited were notified that corporate checks were not permitted.

95043700101

The August 30, 1994, contribution from Rose, Schmidt, Hasley & DiSalle (Exhibit 1-C) in the amount of \$250.00, was a response to the following solicitation:

Exhibit

Description

3-A
3-B

August 22, 1994, solicitation letter
Response card

Similarly, please reference Exhibit 3-A, and note once again the notification at paragraph number 5.

Based upon what has previously been presented, the Mascara for Congress committee accepted the checks. In particular, it was also considered when reviewed that since checks marked Exhibit 1-A and 1-C were from a law firm, it was determined to be a partnership account.

Exhibit 1-B was considered to be a non-corporate check since the check indicated it to come from an auxiliary account.

Finally, as a result of the filing of the complaint by the National Republican Congressional Committee, enclosed are the following news articles pertaining to the complaint:

Exhibit

Description

4-A

Republican Group Questions Contributions to Mascara
November 2, 1994 - Valley Independent

4-B

Mascara Defends Contributions being Challenged
November 3, 1994 - Observer Reporter

We believe this complaint was filed purely for political reasons one week before the general election in an attempt to affect the outcome of the election. Does not the National Republican Congressional Committee have some responsibility or obligation in performing due diligence prior to filing formal complaints.

Respectfully submitted:

Mark E. Mascara, Esquire

MM/jc

Enclosures

95043700132

STATEMENT OF DESIGNATION OF COUNSEL

HUR 4120

NAME OF COUNSEL: MARK E. MASCARA

ADDRESS: 25 WEST BEAU STREET

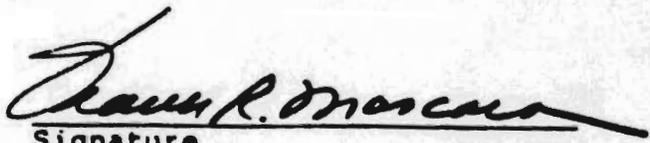
WASHINGTON, PA 15301

TELEPHONE: (412) 222-7975 (412) 222-8813 FAX

NOV 21 12 17 PM '94
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

NOVEMBER 18, 1994
Date


Signature

RESPONDENT'S NAME: MASCARA FOR CONGRESS, ED MENDOLA, TREASURER

ADDRESS: 831 LINCOLN AVENUE

CHARLEROI, PA 15022

HOME PHONE:

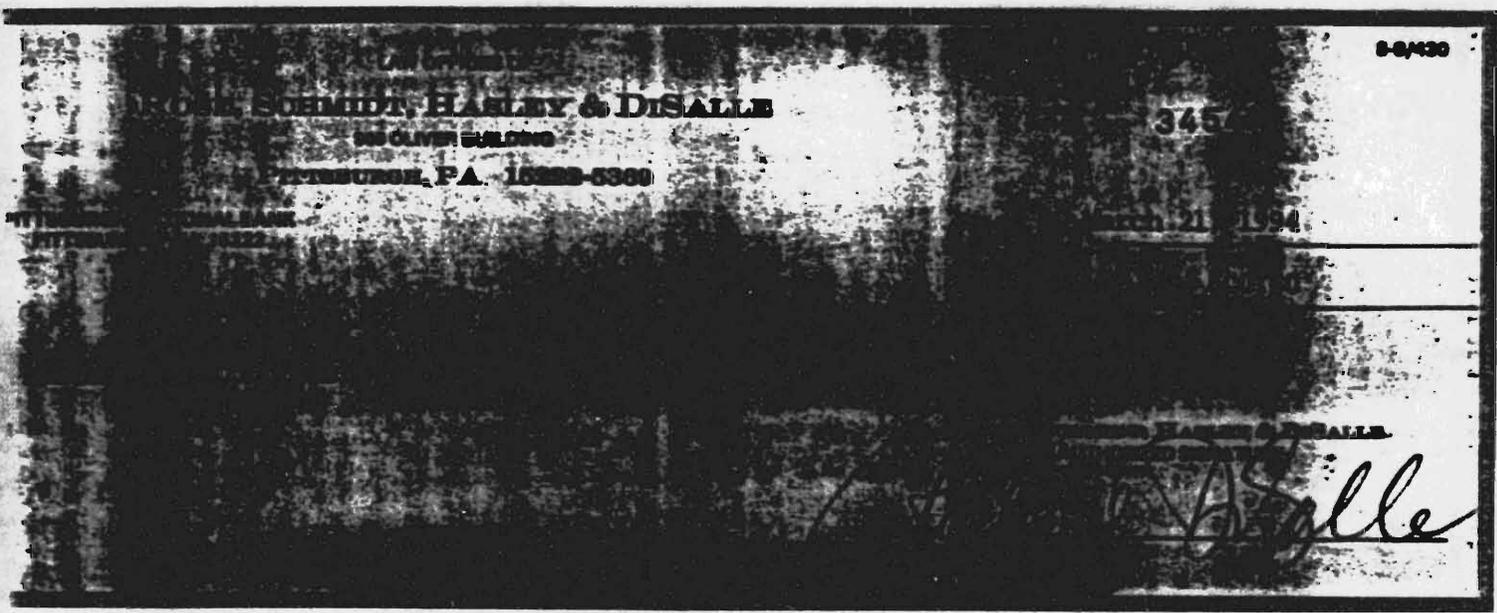
BUSINESS PHONE: (412) 228-6720

95043700133

INVOICE NUMBER	INVOICE DATE	INVOICE DESCRIPTION	GROSS AMOUNT	DISCOUNTS, RETENTIONS, PAYMENTS TO DATE	NET AMOUNT THIS CHECK
	3/21/94	Political			\$ 500.00

TOTALS

\$ 500.00



COMMUNITY MEDICAL CENTER
AUXILIARY ACCOUNT
P.O. BOX 157
BURGETTSTOWN, PA 15021

549

April 5 1994

6-21/93

PAY TO THE
ORDER OF

Memo for Congress

\$ 300 ⁰⁰/₁₀₀

Three hundred dollars and ⁰⁰/₁₀₀ DOLLARS



Melton Bank
Melton Bank, N.A.
Pittsburgh, PA

3 dollar ticket

Clyde L. Melick

Marie C. Ferguson

95043700185

EXHIBIT 1 - B

ROSE, SCHMIDT, HASLEY & DiSALLE

3505

909 OLIVER BUILDING

PITTSBURGH, PA 15222-5309

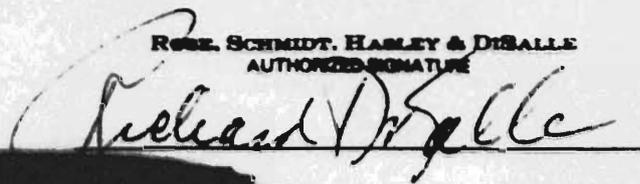
August 30, 1994

PITTSBURGH NATIONAL BANK
PITTSBURGH, PA 15222

PAY \$ 250.00

Mascara Campaign Committee

ROSE, SCHMIDT, HASLEY & DiSALLE
AUTHORIZED SIGNATURE



LAW OFFICES OF
ROSE, SCHMIDT, HASLEY & DiSALLE
PITTSBURGH, PA 15222-5309

CHECK NO. 3505 DATE 8/30/94
VENDOR Mascara Campaign Comm

INVOICE NUMBER	INVOICE DATE	INVOICE DESCRIPTION	GROSS AMOUNT	DISCOUNTS, RETENTIONS, PAYMENTS TO DATE	NET AMOUNT THIS CHECK
95043700136	8/30/94	Political Donation			\$ 250.00

TOTALS

\$ 250.00

EXHIBIT 1 - C

MASCARA FOR CONGRESS

P.O. BOX 1109

WASHINGTON, PENNSYLVANIA 15301

March 14, 1994

FRANK R. MASCARA

Dear Friend and Supporter:

I have recently announced my candidacy to the U.S. House of Representatives in the 20th Congressional District for the May 10, 1994, Democratic Primary Election.

Having served as Chairman of the Washington County Board of Commissioners for fifteen years, the scope of my involvement in public life extends beyond the borders of Washington County; in fact, beyond Southwestern Pennsylvania.

If you were to ask me what I dislike most about my job as an elected official, I would have to respond by saying "fundraising"; that is, asking for campaign contributions. Running campaigns, however, is an expensive proposition. I could not have run for elective office over the past two decades without the financial help of individuals like yourself.

I would like to think that the contributions made to my campaign efforts over the years were an investment in good government. I assure you the same hard work and dedication will be exemplified as a member of Congress.

If you would like to be a part of my election, I would be most appreciative if you could attend a reception on Tuesday, April 5, 1994, at the Holiday Inn Meadowlands in Washington, Pennsylvania. I have enclosed some reception tickets for your use. Checks should be made payable to "Mascara for Congress" and mailed to P. O. Box 1109, Washington, Pennsylvania. Please indicate on the memo portion of your check "Spring Primary Election 1994".

Please be advised that there are limitations on the amount that any one person or political action committees (PACS) can contribute. Contribution maximums are set by the Federal Election Campaign Act as follows:

Under the Act, individuals and groups may contribute a maximum of \$1,000.00 per election to a candidate's campaign. The limit also applies to contributions from political action committees that have not qualified as multi-candidate committees.

Political action committees that have qualified as multi-candidate committees have a higher limit of \$5,000.00 per election.

Political contributions are not tax deductible. Corporate checks are not permitted under the Federal Election Campaign Act.

Your support would be greatly appreciated.

Sincerely yours,



Frank R. Mascara

Enclosures

9*

EXHIBIT 2 - A

PAID FOR BY MASCARA FOR CONGRESS

95043700187

MASCARA FOR CONGRESS®
RECEPTION
Holiday Inn - Meadow Lands
Tuesday, April 5, 1994

Name _____

Address _____

City _____

State _____ Zip _____

Please Make Checks Payable To:
Mascara For Congress
P.O. Box 1109, Washington, PA 15301

No 1501

MASCARA FOR CONGRESS
★ **RECEPTION** ★

Holiday Inn - Meadow Lands

1-79S - Exit 8, Meadow Lands - 1-79N - Exit 8B, Race-track Road

Tuesday, April 5, 1994

5:00 p.m. - 8:00 p.m.

★
Cocktail Party - Hors D'oeuvres
★

EXHIBIT 2 - B

Authorized by:
Dolores Mascara, Chairperson,
Edward Mendola, Treasurer

No 1501

8 8 1 0 0 2 2 4 0 5 6

MASCARA FOR CONGRESS

P.O. BOX 1109

WASHINGTON, PENNSYLVANIA 15301

FRANK R. MASCARA

August 22, 1994

Dear Friend and Contributor:

With the Congressional Campaign about to set into full swing for the General Election, I would like to offer my supporters an opportunity of a one-time contribution of \$1,000.00 which will enable you to participate in all of the events planned throughout the campaign. Some events have already been scheduled while others are tentative.

On Tuesday, September 6, 1994, Democrat Majority Leader Richard Gephardt (Missouri) will be the guest speaker of a noontime luncheon on behalf of my campaign at the Sheraton Station Square in Pittsburgh, Pennsylvania.

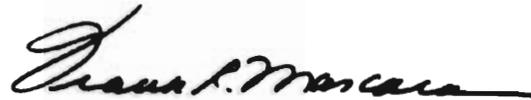
In addition, Governor Robert P. Casey has indicated his desire to host a reception some time during the campaign for which dates are now being discussed. We are hopeful that the reception will include individual photo opportunities with the Governor.

The campaign will also be having a major reception and other events throughout the district. Please consider being a "season ticket holder" and join me for all of the campaign events.

To ensure an invitation to all of the Mascara for Congress events, please complete the enclosed card and return it as soon as possible. Individual contributions throughout the election period are limited to \$1,000.00 and corporate checks are prohibited.

If you have any questions, please feel free to contact the Campaign Headquarters at (412) 229-8810. I look forward to seeing you at all of the events scheduled throughout the campaign.

Sincerely yours,



Frank R. Mascara

FRM:td

Enclosure

Enclosed is my check for \$ _____

The Federal Election Commission requests the following information:

Name: _____

Address: _____

Occupation: _____ Employer: _____

Telephone: (H) _____ (W) _____

Please make check payable to: **Mascara for Congress**
P.O. Box 1109, Washington, PA 15301

Contributions to Mascara for Congress are not tax-deductible.
Paid by Mascara for Congress
Edward Mendola, Treasurer

EXHIBIT 3 - B

95043700190

Republican Valley group questions contributions to Mascara

By CHRIS BUCKLEY

Retired Superior Court Judge Richard DiSalle said today that contributions made by his law firm to the campaign of Democratic congressional hopeful Frank Mascara were within federal regulations.

DiSalle, who has practiced law since 1962, made his comments this morning to *The Valley Independent*, responding to accusations made by the National Republican Congressional Committee. The NRCC

issued a statement this morning that it plans to file a complaint with the Federal Elections Committee, claiming that Mas-



MASCARA

ara, the Washington County Commission Chair, illegally accepted a total of three checks from two corporations. According to FEC spokesman Ian Stirton, corporations are not permitted to make campaign contributions.

The NRCC complaint claims that the law firm of Rose, Schmidt, Hasley and DiSalle of Pittsburgh made contributions to the Mascara for Congress campaign on March 21 and Sept. 2 of this year. The complaint says these were illegal contributions because they were from a corporation.

But DiSalle said these contributions were made specifically from the firm's partnership fund. He said the firm made other contributions from its partnership fund in this cam-

paign. Stirton said partnerships are permitted by law to make contributions.

"We were very careful to make sure our campaign contributions came out of the partnership fund," DiSalle said. "It's clear that these contributions came from the partnership fund."

The complaint, the NRCC reported, will also question a check from the Community Medical Center of Washington County. Mascara said the check did not indicate it was from a corporation.

Mascara said the claims are "sour grapes." They come on the heels of a complaint filed last week which accused Mascara's GOP opponent, Mike McCormick, of accepting a \$10,000 contribution from an individual in violation of FEC law. That complaint, however, was filed by a spokesperson for McCormick's opponent in the Primary Election, Bill Townsend.

"They've had my reports for months and now that he's been charged, they try to make these accusations," Mascara said. "I attribute this to a desperate candidate and a desperate party. I'm relieved."

"They've had my reports for months and this is the best they can do. I feel good because I know they went through my reports with a fine-tooth comb and they couldn't find anything."

95043700191

Mascara denies contributions being challenged

BY JOE BIVINS
THE OBSERVER REPORTER

11/3/94

Frank R. Mascara said Wednesday that campaign checks he received from a law firm and a community medical center are legal, despite claims to the contrary by the National Republican Congressional Committee.

The NRCC was expected to file a complaint Wednesday with the Federal Election Commission against Mascara, the Democratic candidate for Congress in the 20th District, for allegedly accepting corporate contributions.

FEC law prohibits campaigns from accepting contributions directly from corporations.

But Mascara said a check from the law firm of Rose, Schmidt, Hanley and DSalle of Pittsburgh was from a "partnership, not a corporation."



He said whenever his campaign receives a check, workers look for the designation of "Inc." or "Corp." Those are telltale signs the check must be returned. Mascara said.

"In each of the instances pointed out by the NRCC, no corporate designation was listed on the check," he said.

Meanwhile, Kim Hunkler, campaign manager for Mike McCormick, the Republican congressional candidate, said McCormick's campaign knew

▶ SEE MASCARA, A2

▶ MASCARA

FROM PAGE ONE

nothing about the NRCC investigation until Tuesday night.

"We did know the NRCC sent someone to Washington to look at Mascara's campaign expense forms," Hunkler said. "We did not know anything about the investigation or the fact they were filing a complaint."

But Mascara said U.S. Rep. Bill Paxton, R-New York, who is chairman of the NRCC, should keep his "proverbial political proboscis out of the 20th Congressional District."

Maria Cino, executive director of the NRCC, said the law firm has been a registered Pennsylvania

professional corporation since April 22, 1982, and the Community Medical Center of Washington County, in Burgessville, has been a nonprofit corporation since Jan. 3, 1972.

The total contribution Mascara received from the two groups is \$1,688.

Mascara said McCormick is trying to take the heat off own his \$10,000 mistake, referring to a loan McCormick received last May from an individual, and then returned when the FEC told him he could not accept a loan in excess of \$1,000.

Mascara said his records are impeccable, and that he has "gone the extra mile" to make sure there were no flagrant abuses in his campaign reporting.

95043700192

LAW OFFICES
ROSE, SCHMIDT, HASLEY & DiSALLE

900 OLIVER BUILDING
PITTSBURGH, PA. 15222-5369
TELEPHONE (412) 434-8600
TELECOPIER (412) 263-2629

PITTSBURGH, PA

WASHINGTON, PA

November 23, 1994

WRITER'S NO. (412) 434- 8614

FEDERAL EXPRESS

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
Suite 6579, 999 E Street N W
Washington, D.C. 20463

RE: MUR 4120

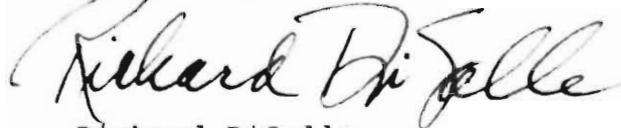
Dear Mr. Noble:

In response to Mary L. Taksar's letter of November 10, 1994, I am enclosing an original Affidavit executed by Edmund M. Carney, President of Rose, Schmidt, Hasley & DiSalle, P.C. We believe that Mr. Carney's Affidavit explains clearly why this matter should be dismissed and no further action taken by the Federal Election Commission.

Rose, Schmidt, Hasley & DiSalle, P.C. was formed on or about July 1, 1992, by lawyers who were then members of the partnership of Rose, Schmidt, Hasley & DiSalle (the "partnership"). However, when the professional corporation was formed, the partnership was not dissolved. When the March 21, 1994, \$500 check and the August 30, 1994, \$250 check were drawn, the partnership had not been dissolved. As of the date of this letter, the partnership has not been dissolved and is still in existence.

Both of the previously referenced checks made payable to the "Mascara Campaign Committee" were drawn on the partnership's checking account. Neither check was issued by Rose, Schmidt, Hasley & DiSalle, P.C., the professional corporation; therefore, the respondent is not in violation of the Federal Election Campaign Act. We trust that this matter will be summarily dismissed and no further action taken.

Very truly yours,



Richard DiSalle

RDIS:mma
Enclosure

cc: Mary L. Taksar, Esq.

NOV 25 10 20 AM '94
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

95043700193

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Nov 25 10 20 AM '94

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY) SS:

Before me, the undersigned authority, personally appeared Edmund M. Carney, who, after being duly sworn according to law, deposed and said:

1. I am Edmund M. Carney, President of the law firm known as Rose, Schmidt, Hasley & DiSalle, P.C.

2. Rose, Schmidt, Hasley & DiSalle, P.C. was formed on or about July 1, 1992, by lawyers who were then members of the Partnership of Rose, Schmidt, Hasley & DiSalle (the "Partnership"). However, despite the formation of the professional corporation, the Partnership has not yet been dissolved, and is still in existence.

3. On or about March 21, 1994, the Partnership issued a check in the amount of \$500.00 to the "Mascara Campaign Committee."

4. On or about August 30, 1994, the Partnership issued a check in the amount of \$250 to the "Mascara Campaign Committee."

5. Both the March 21, 1994 \$500 check and the August 30, 1994 \$250 check were drawn on the Partnership's checking account. Neither check was issued by the Professional Corporation.

95043700194

6. The statements set forth above are true and correct, and based upon my personal knowledge.

Edmund M. Carney
Edmund M. Carney

Sworn to and subscribed
before me this 22nd day
of November, 1994.

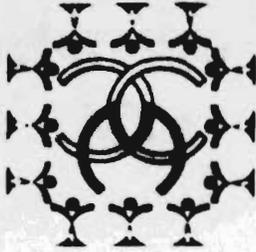
Barbara D. Weimer
Notary Public

My Commission Expires:



95043700195

Community Medical Center of Northwest Washington County, Inc.



R.D. #3 Box 150

Burgettstown, Pa. 15021 Phone: (412) 947-2255

November 22, 1994

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
Suite 657
999 E St., N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
NOV 25 2 01 PM '94

RE: MUR 4120

Dear Mr. Noble:

This letter and the enclosed affidavits constitute a reply to the Complaint by the National Republican Congressional Committee, MUR 4120.

I enclose my affidavit, as President of the Board of Directors of the Community Medical Center of Northwest Washington County, Inc. (the "CMC") and an affidavit from the treasurer for the Community Medical Center Auxiliary (the "Auxiliary"). As the affidavits and appended check copy make clear, this complaint is apparently based on a mistaken belief that the CMC made an improper contribution which was in fact properly made by the Auxiliary, an unincorporated association.

I authorize the commission to make this matter public, and request the complainant National Republican Congressional Committee to publicly apologize for this unfounded complaint against the CMC, as this matter has already been made the subject of front-page local news reports quoting Ms. Cino.

George A. Baillie
President, Board of Directors

cc: CMC Board Members
Community Medical Center Auxiliary
Mark E. Mascara
Richard DiSalle
Maria Cino, N.R.C.C.

95013700196

Community Medical Center of Northwest Washington County, Inc.



R.D. #3 Box 150

Burgettstown, Pa. 15021 Phone: (412) 947-2255

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA) ss.
COUNTY OF WASHINGTON)

Before me, the undersigned notary public, this day personally appeared George A. Baillie of 336 South Main Street, Burgettstown, PA 15021, to me known, who being duly sworn according to law deposes and says:

1. I serve the Community Medical Center of Northwest Washington County, Inc. (the "CMC") as President of its Board of Directors, and have been President since January 1993. As President I co-sign each check paid from the CMC accounts, hold weekly management reviews with the CMC administrator, receive written reports of each CMC expenditure at our monthly board meeting, and receive an annual report and briefing by our independent auditors.

2. I did not sign any check from the CMC to the campaign of Frank Mascara. I would not approve or allow any payment from the CMC to any political candidate in any election. From a search of the CMC books and records at my direction, no record of any cash or check payment from the CMC to the Mascara for Congress campaign was found. No such payment was reported in the outside audit of our records for July 1, 1993 through June 30, 1994 (covering when the challenged payment was made: April 4, 1994).

3. An unincorporated association known as the "Community Medical Center Auxiliary" raises funds from community activities and occasionally buys equipment to be donated to the CMC. I am not an officer or member of the Auxiliary, which holds its own meetings and keeps accounts not reported to the CMC board. Apparently a contribution by that association to the Mascara for Congress campaign was misinterpreted to have come from the CMC.


George A. Baillie

Subscribed and sworn before me, this 23 day of November, 1994.


Notary Public
Edith W. Cassidy, Notary Public
Burgettstown, Pa., Washington County
Notary Commission Expires March 29, 1997
Member, Pennsylvania Association of Notaries

95043700197

COMMUNITY MEDICAL CENTER
AUXILIARY ACCOUNT
P.O. BOX 167
BURGETTSTOWN, PA 15021

549

April 5 1994

9-28/438

PAY TO THE
ORDER OF

Maria for Congress

\$ 300 ⁰⁰/₁₀₀

Three hundred dollars and ⁰⁰/₁₀₀ DOLLARS



Melton Bank
Pittsburgh, PA

3 dinner tickets

Claudia L. Melick

95043700199



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SECRETARIAT
FEB 16 12 10 PM '95

February 16, 1995

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel
BY: Lois G. Lerner *LL*
Associate General Counsel
SUBJECT: NUR 4120
Waiver of Confidentiality

George A. Baillie, President of the Board for respondent Community Medical Center of Washington County, Inc., submitted a waiver of confidentiality. There are four other respondents in this matter, Edward Mendola, Treasurer, Mascara for Congress, Frank R. Mascara, and Rose, Schaidt, Hasley and DiSalle, who have not waived confidentiality. Thus, this waiver pertains solely to the Community Medical Center of Washington County, Inc.

By making this waiver, Mr. Baillie has requested that the Commission not apply the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) to this matter. However, that section merely provides that any notification or investigation shall not be made public by the Commission without the written consent of the person receiving such notification or the person with respect to whom such investigation is made. By its terms, Section 437g(a)(12)(A) does not impose an affirmative duty on the Commission to publicize this matter at this time as it pertains to the Community Medical Center of Washington County, Inc. Therefore, this Office will respond to requests for information subject to the following considerations. First, requests must be in writing. Second, such requests would be considered by the Commission subject to the provisions of the Freedom of Information Act, the Government in the Sunshine Act, and all relevant privileges which would limit or preclude the release of such requested information.

RECOMMENDATION

Approve the appropriate letter.

Attachment
Waiver

95043700200

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
George A. Baillie, President of) MUR 4120
the Board for Community Medical)
Center of Washington County, Inc.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 22, 1995, the Commission decided by a vote of 6-0 to approve the appropriate letter, as recommended in the General Counsel's Memorandum dated February 16, 1995, in the above-captioned matter.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Attest:

2-22-95
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., Feb. 16, 1995 12:18 p.m.
Circulated to the Commission: Thurs., Feb. 16, 1995 4:00 p.m.
Deadline for vote: Wed., Feb. 22, 1995 4:00 p.m.

bjr

95043700201



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

March 7, 1995

George A. Baillie
President, Board of Directors
Community Medical Center of Northwest
Washington County, Inc.
R.D. #3 Box 150
Burgettstown, PA 15021

RE: MUR 4120

Dear Mr. Baillie:

This is in response to your letter wherein you waived the Community Medical Center of Northwest Washington County's, ("Medical Center") right to confidentiality in the above-captioned matter, pursuant to 2 U.S.C. § 437g(a)(12)(A). The waiver is hereby acknowledged by the Federal Election Commission.

At this time, the Commission will neither place documents on the public record nor issue a public announcement regarding your involvement in this matter. Instead, the Commission will consider requests for information concerning this matter subject to the following: first, requests for documents must be in writing and second, such requests will be considered by the Commission subject to the provisions of all relevant statutes and regulations, such as the Freedom of Information Act and the Government in Sunshine Act, which limit or preclude the release of such requested information.

Please note that this waiver pertains to information concerning the Medical Center alone, and does not pertain to any other respondents in this matter. Thus, you may not disclose any information pertaining to the other respondents in this matter until notified by the Commission that the entire file in this matter is closed.

If you have any questions, please contact me, at (202) 219-3400.

Sincerely,

Mary L. Taksar (428)

Mary L. Taksar, Attorney
Central Enforcement Docket

95043700202

BEFORE THE FEDERAL ELECTION COMMISSION
OCT 2 10 52 AM '95

In the Matter of)
) Enforcement Priority
)

GENERAL COUNSEL'S REPORT

SENSITIVE

I. INTRODUCTION

This report is the General Counsel's Report to recommend that the Commission no longer pursue the identified lower priority and stale cases under the Enforcement Priority System.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 34 cases which do not warrant further pursuit relative to the other pending cases.¹ A short description of

1. These matters are: PM 309 (Attachment 1); RAD 95I-12 (Attachment 2); MUR 4118 (Attachment 3); MUR 4119 (Attachment 4); MUR 4120 (Attachment 5); MUR 4122 (Attachment 6); MUR 4123 (Attachment 7); MUR 4124 (Attachment 8); MUR 4125 (Attachment 9); MUR 4126 (Attachment 10); MUR 4130 (Attachment 11); MUR 4133 (Attachment 12); MUR 4134 (Attachment 13); MUR 4135 (Attachment 14); MUR 4136 (Attachment 15); MUR 4137

95043700203

each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-34. As the Commission requested, this Office has attached the responses to the complaints for the externally-generated matters and the referral for the matter referred by the Reports Analysis Division because this information was not previously circulated to the Commission. See Attachments 1-34.

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 11 cases that

do not

(Footnote 1 continued from previous page)
(Attachment 16); MUR 4138 (Attachment 17); MUR 4140
(Attachment 18); MUR 4142 (Attachment 19); MUR 4143
(Attachment 20); MUR 4144 (Attachment 21); MUR 4145
(Attachment 22); MUR 4148 (Attachment 23); MUR 4149
(Attachment 24); MUR 4153 (Attachment 25); MUR 4155
(Attachment 26); MUR 4158 (Attachment 27); MUR 4163
(Attachment 28); MUR 4164 (Attachment 29); MUR 4169
(Attachment 30); MUR 4179 (Attachment 31); MUR 4195
(Attachment 32); MUR 4196 (Attachment 33); and MUR 4205
(Attachment 34).

95043700204

warrant further investment of significant Commission resources.² Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. As the Commission requested, in matters in which the Commission has made no findings, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are attached to the report because this information was not previously circulated to the Commission. See Attachments 35-45. For cases in which the Commission has already made findings and for which each Commissioner's office has an existing file, this Office has attached the most recent General Counsel's Report.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective October 16, 1995. By closing the cases effective October 16, 1995, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record.

2. These matters are: PM 250 (Attachment 35); PM 272 (Attachment 36); MUR 3188 (Attachment 37); MUR 3554 (Attachment 38); MUR 3623 (Attachment 39); MUR 3988 (Attachment 40); MUR 3996 (Attachment 41); MUR 4001 (Attachment 42); MUR 4007 (Attachment 43); MUR 4007 (Attachment 43); MUR 4007 (Attachment 43); MUR 4008 (Attachment 44); and MUR 4018 (Attachment 45).

95043700205

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective October 16, 1995 in the following matters:

- 1) PM 309
- 2) RAD 95L-12
- 3) PM 250
- 4) PM 272

B. Take no action, close the file effective October 16, 1995, and approve the appropriate letter in the following matters:

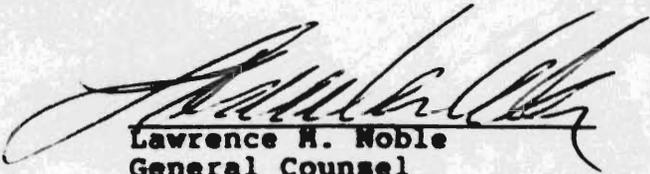
- 1) MUR 3554
- 2) MUR 3623
- 3) MUR 3988
- 4) MUR 3996
- 5) MUR 4001
- 6) MUR 4007
- 7) MUR 4008
- 8) MUR 4018
- 9) MUR 4118
- 10) MUR 4119
- 11) MUR 4120
- 12) MUR 4122
- 13) MUR 4123
- 14) MUR 4124
- 15) MUR 4125
- 16) MUR 4126
- 17) MUR 4130
- 18) MUR 4133
- 19) MUR 4134
- 20) MUR 4135
- 21) MUR 4136
- 22) MUR 4137
- 23) MUR 4138
- 24) MUR 4140
- 25) MUR 4142
- 26) MUR 4143
- 27) MUR 4144
- 28) MUR 4145
- 29) MUR 4148
- 30) MUR 4149

95043700206

- 31) MUR 4153
- 32) MUR 4155
- 33) MUR 4158
- 34) MUR 4163
- 35) MUR 4164
- 36) MUR 4169
- 37) MUR 4179
- 38) MUR 4195
- 39) MUR 4196
- 40) MUR 4205

C. Take no further action, close the file effective October 16, 1995 and approve the appropriate letter in MUR 3188.

9/29/95
Date


Lawrence H. Noble
General Counsel

95043700207

**Federal Election Commission
Certification: Enforcement Priority
October 17, 1995**

Page 2

- 10) MUR 4119
- 11) MUR 4120
- 12) MUR 4122
- 13) MUR 4123
- 14) MUR 4124
- 15) MUR 4125
- 16) MUR 4126
- 17) MUR 4130
- 18) MUR 4133
- 19) MUR 4134
- 20) MUR 4135
- 21) MUR 4136
- 22) MUR 4137
- 23) MUR 4138
- 24) MUR 4140
- 25) MUR 4142
- 26) MUR 4143
- 27) MUR 4144
- 28) MUR 4145
- 29) MUR 4148
- 30) MUR 4149
- 31) MUR 4153
- 32) MUR 4155
- 33) MUR 4158
- 34) MUR 4163
- 35) MUR 4164
- 36) MUR 4169
- 37) MUR 4179
- 38) MUR 4195
- 39) MUR 4196
- 40) MUR 4205

- C. Take no further action, close the file effective October 17, 1995 and approve the appropriate letter in MUR 3188.

(continued)

95043700209

Commissioners Aikens, Elliott, McDonald, McGarry, and
Thomas voted affirmatively for each of the decisions;
Commissioner Potter was not present.

Attest:

10-20-95
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

95043700210



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 23, 1995

Maria Cino, Executive Director
National Republican Congressional Committee
320 First Street, N.E.
Washington, D.C. 20003

RE: MUR 4120

Dear Ms. Cino:

On November 2, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

95043700211

**NUR 4120
MASCARA FOR CONGRESS COMMITTEE**

The National Republican Congressional Committee filed a complaint alleging that the Mascara for Congress Committee accepted corporate contributions totaling \$1,050.

The Mascara for Congress Committee responded that the contributions in question were received from a solicitation letter that stated that corporate contributions were impermissible. The Committee states that the contributions from Rose, Schmidt, Hasley & DiSalle were disbursed from a partnership account and that Community Medical Center Auxiliary is an unincorporated association. Consequently, the Committee determined that the contributions did not constitute corporate contributions.

In response to the complaint, the Community Medical Center of Northwest Washington County, Inc. states that the Community Medical Center Auxiliary, an unincorporated association, contributed \$300 to the Committee.

Ross, Schmidt, Hasley & DiSalle responded that both checks were drawn on the partnership account and thus, do not constitute corporate contributions.

This matter is less significant relative to other matters pending before the Commission.

95043700212



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

George A. Baillie, President
Community Medical Center of
Northwest Washington County, Inc.
R.D. #3, Box 150
Burgettstown, PA 15021

RE: MUR 4120

Dear Mr. Baillie:

On November 10, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Community Medical Center of Northwest Washington County, Inc. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043700213

**NUR 4120
MASCARA FOR CONGRESS COMMITTEE**

The National Republican Congressional Committee filed a complaint alleging that the Mascara for Congress Committee accepted corporate contributions totaling \$1,050.

The Mascara for Congress Committee responded that the contributions in question were received from a solicitation letter that stated that corporate contributions were impermissible. The Committee states that the contributions from Rose, Schmidt, Hasley & DiSalle were disbursed from a partnership account and that Community Medical Center Auxiliary is an unincorporated association. Consequently, the Committee determined that the contributions did not constitute corporate contributions.

In response to the complaint, the Community Medical Center of Northwest Washington County, Inc. states that the Community Medical Center Auxiliary, an unincorporated association, contributed \$300 to the Committee.

Ross, Schmidt, Hasley & DiSalle responded that both checks were drawn on the partnership account and thus, do not constitute corporate contributions.

This matter is less significant relative to other matters pending before the Commission.

95043700214



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 23, 1995

Edmund M. Carney, President
Rose, Schmidt, Hasley and Disalle
900 Oliver Building
Pittsburgh, PA 15222-5639

RE: MUR 4120

Dear Mr. Carney:

On November 10, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Rose, Schmidt, Hasley and Disalle. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

95043700215

**HUR 4120
MASCARA FOR CONGRESS COMMITTEE**

The National Republican Congressional Committee filed a complaint alleging that the Mascara for Congress Committee accepted corporate contributions totaling \$1,050.

The Mascara for Congress Committee responded that the contributions in question were received from a solicitation letter that stated that corporate contributions were impermissible. The Committee states that the contributions from Rose, Schmidt, Hasley & DiSalle were disbursed from a partnership account and that Community Medical Center Auxiliary is an unincorporated association. Consequently, the Committee determined that the contributions did not constitute corporate contributions.

In response to the complaint, the Community Medical Center of Northwest Washington County, Inc. states that the Community Medical Center Auxiliary, an unincorporated association, contributed \$300 to the Committee.

Ross, Schmidt, Hasley & DiSalle responded that both checks were drawn on the partnership account and thus, do not constitute corporate contributions.

This matter is less significant relative to other matters pending before the Commission.

95043700216



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

The Honorable Frank R. Mascara
U.S. House of Representatives
1531 Longworth Building
Washington, D.C. 20515

RE: MUR 4120

Dear Representative Mascara:

On November 10, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043700217

**NUR 4120
MASCARA FOR CONGRESS COMMITTEE**

The National Republican Congressional Committee filed a complaint alleging that the Mascara for Congress Committee accepted corporate contributions totaling \$1,050.

The Mascara for Congress Committee responded that the contributions in question were received from a solicitation letter that stated that corporate contributions were impermissible. The Committee states that the contributions from Rose, Schmidt, Hasley & DiSalle were disbursed from a partnership account and that Community Medical Center Auxiliary is an unincorporated association. Consequently, the Committee determined that the contributions did not constitute corporate contributions.

In response to the complaint, the Community Medical Center of Northwest Washington County, Inc. states that the Community Medical Center Auxiliary, an unincorporated association, contributed \$300 to the Committee.

Ross, Schmidt, Hasley & DiSalle responded that both checks were drawn on the partnership account and thus, do not constitute corporate contributions.

This matter is less significant relative to other matters pending before the Commission.

95043700218



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 23, 1995

Mark E. Mascara
25 West Beau Street
Washington, PA 15301

RE: MUR 4120
Mascara for Congress and Edward Mendola, Treasurer

Dear Mr. Mascara:

On November 10, 1994, the Federal Election Commission notified your clients of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on October 17, 1995.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

95043700219

**NR 4120
MASCARA FOR CONGRESS COMMITTEE**

The National Republican Congressional Committee filed a complaint alleging that the Mascara for Congress Committee accepted corporate contributions totaling \$1,050.

The Mascara for Congress Committee responded that the contributions in question were received from a solicitation letter that stated that corporate contributions were impermissible. The Committee states that the contributions from Rose, Schmidt, Hasley & DiSalle were disbursed from a partnership account and that Community Medical Center Auxiliary is an unincorporated association. Consequently, the Committee determined that the contributions did not constitute corporate contributions.

In response to the complaint, the Community Medical Center of Northwest Washington County, Inc. states that the Community Medical Center Auxiliary, an unincorporated association, contributed \$300 to the Committee.

Ross, Schmidt, Hasley & DiSalle responded that both checks were drawn on the partnership account and thus, do not constitute corporate contributions.

This matter is less significant relative to other matters pending before the Commission.

95043700220

THIS IS THE END OF MUR # 4120

95043700221



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4120

DATE FILMED 11-24-95 CAMERA NO. 3

CAMERAMAN S.E.G.

95043700222