



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 3650

DATE FILMED 10-25-94 CAMERA NO. 8

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RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

OCT 13 10 00 AM '92

October 9, 1992

MUR 3650

Federal Elections Commission
Attn: Office of General Counsel
999 E. Street, N.W.
Washington, D.C. 20463

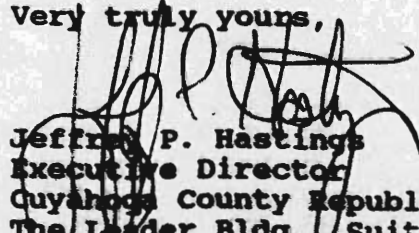
RE: Complaint

Dear Sir/Madam:

Enclosed please find a complaint against The Mary Rose Oakar for Congress Committee, Patrick O'Donnell, Treasurer.

If you are in need of any additional information, I may be contacted at (216) 621-5416.

Very truly yours,


Jeffrey P. Hastings
Executive Director
Cuyahoga County Republican Organization
The Leader Bldg. Suite One
Cleveland, Ohio 44114-1210
(216) 621-5416

JPH/lb
Enclosure

4043590832

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF
GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION
OF THE UNITED STATES OF AMERICA

In the matter of:

Mary Rose Oakar for Congress Committee)
and Patrick O'Donnell, Treasurer,)
/

COMPLAINT

NOW COMES, The Cuyahoga County Republican Organization (hereinafter Republican Organization) of the Leader Building, Suite 1, Cleveland, Ohio 44114-1210 by its Executive Director, Jeffrey P. Hastings to file this Complaint pursuant to 2 U.S.C. 437g(a)(1) and 11 C.F.R. 111.4 against Mary Rose Oakar for Congress Committee, Patrick O'Donnell, Treasurer of P.O. Box 458, Cleveland, Ohio 44107 (hereinafter Oakar).

FACTS

The Republican Organization pursuant to the provisions of The Federal Election Campaign Act (Act) and the Federal Election Commission (FEC) regulations does hereby state the following facts:

1. Mary Rose Oakar for Congress Committee is the authorized principal campaign committee for Mary Rose Oakar, candidate for the United States House of Representatives from the Tenth District of Ohio.
2. Mary Rose Oakar has been a Member of Congress since 1976.
3. The basis for this Complaint is the July 15 Quarterly report filed by Oakar and received by the Commission on July 15, 1992 and information reported in Ohio newspapers.

Excessive Contributions

1. Oakar has reported receiving a loan from Society National Bank of Cleveland Ohio on May 23, 1992 for \$100,000. Said loan is reported as being endorsed or guaranteed by Mary Rose Oakar, Helen Demio and Phillip Demio. (Exhibit A).

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2. The copy of the loan instrument (attached to the July 15 Quarterly report) does not indicate the extent of the liability for the loan of each endorser. (Exhibit A).

3. On July 26, 1992, The Plain Dealer, in an article describing Oakar's aggressive out of state fundraising, reported that, "In securing the original loan from Society last May, Oakar pledged a certificate of deposit valued at \$100,000 and was backed up by two co-signers, her sister, Helen M. DeMio, and brother-in-law, Phillip C. DeMio, both of whom also put up CDs, according to FEC reports." (Exhibit B).

DISCUSSION OF LAW

Excessive Contributions

1. Loan Guarantees are considered contributions under the Act. Pursuant to 11 C.F.R. 100.7(a)(1), a contribution is defined as:

A gift, subscription, loan (except for a loan made in accordance with 11 C.F.R. 100.7(b)(11)), advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

The regulations further clarify that a "loan" includes "a guarantee, endorsement, and any other form of security." 11 C.F.R. 100.7(a)(1)(i). "[A] loan is a contribution by each endorser or guarantor." 11 C.F.R. 100.7(a)(1)(i)(c). The Commission has stated that "the co-signer [is] considered to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in the written agreement." Advisory Opinion 1981-8, 11 C.F.R. 100.7(a)(1)(i)(C).

The regulations state that, "In the event that such agreement does not stipulate the portion of the loan for which each endorser or guarantor is liable, the loan shall be considered a loan by each endorser or guarantor in the same proportion to the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors. 11 C.F.R. 100.7(a)(1)(i)(C). Accordingly, the three endorsers of the \$100,000 loan to Oakar from Society National Bank are each liable for one-third of the loan or \$33,333.33 each. Therefore, each endorser has made a contribution to Oakar in the amount of \$33,333.33.

2. Individuals, including the candidate's family members, are limited to contributions of \$1,000 per election. 2 U.S.C. 441a(a)(1), 11 C.F.R. 110.1(a) and (b)(1). The Act requires that no candidate or political committee shall knowingly accept any contribution in excess of the limitations. 2 U.S.C. 441a(f). Helen Demio and Phillip Demio

have each contributed \$33,333.33 in the form of loan guarantees to Oakar. Contributions from Helen and Phillip Demio each exceeded the contribution limit by \$32,333.33.

3. Pursuant to 11 C.F.R. 103.3(b)(3), the treasurer of a candidate's authorized political committee must refund, redesignate, or reattribute excessive contributions within sixty days from the date of receipt.

PRAYER FOR RELIEF

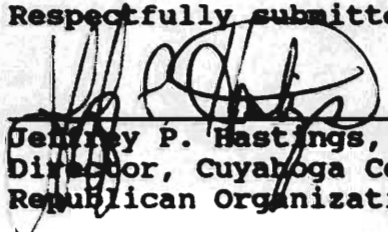
Therefore, The Republican Organization respectfully requests that the Federal Election Commission investigate this violation and find the following conclusion of law:

Oakar has reported receiving contributions in the form of loan guarantees from Helen Demio and Phillip Demio that are each in excess of the individual contribution limits by \$32,333.33 in violation of the Act and regulations, 2 U.S.C 441a(a)(1) and 11 C.F.R. 110.1(a) and (b)(1);

Therefore, The Republican Organization further requests that the Federal Election Commission assess all appropriate penalties for said violation of the above provisions in accordance with 2 U.S.C. 437g(a)(5)(A).

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

Respectfully submitted,


Jeffrey P. Hastings, Executive
Director, Cuyahoga County
Republican Organization

Subscribed and Sworn before me this 8th day of October, 1992.

Harold L. Hom

(Notary Public)

My Commission expires:

HAROLD L. HOM, Attorney At Law

NOTARY PUBLIC - STATE OF OHIO

My commission has no expiration date
Section 147.63 R. C.

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CERTIFIED MAIL

REPORT OF RECEIPTS AND DISBURSEMENTS

REFLECTED

U.S. HOUSE OF REPRESENTATIVES

For An Authorized Committee
(Summary Page)

1992 JUL 20 AM 11:46

JUL 15 1992

USE PRE-PAID LABEL OR POSTAGE

C00047498 3M/10 000092 P 424
PATRICK J O'DONNELL
MARY ROSE BAKER FOR CONGRESS C
NYE
P O BOX 458
CLEVELAND OH 44107

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

2. FEC IDENTIFICATION NUMBER

056444

3. IS THIS REPORT AN AMENDMENT?

☐ YES ☒ NO

4. TYPE OF REPORT

- ☐ April 15 Quarterly Report
☒ July 15 Quarterly Report
☐ October 15 Quarterly Report
☐ January 31 Year End Report
☐ July 31 Mid-Year Report (Non-election Year Only)
☐ Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
☐ Thirtieth day report following the General Election on _____ in the State of _____
☐ Termination Report

This report contains

☒ Primary Election ☒ General Election ☐ Special Election ☐ Runoff Election

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Reporting Period <u>5/15/92</u> through <u>6/30/92</u>		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	235,502.95	402,264.05
(b) Total Contribution Refunds (from Line 12(b))	300.00	300.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	235,202.95	401,964.95
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	352,858.31	598,159.48
(b) Total Offsets to Operating Expenditures (from Line 14)	1,446.54	1,675.04
(c) Net Operating Expenditures (subtract Line 7(b) from 7(a))	351,421.77	596,480.44
8. Cash on Hand at Close of Reporting Period (from Line 27)	22,989.93	
9. Debts and Obligations Owed TO the Committee (Reported on Schedule C and/or Schedule D)	-0-	
10. Debts and Obligations Owed BY the Committee (Reported on Schedule C and/or Schedule D)	157,068.69	

For further information contact:
Federal Election Commission
950 E Street, NW
Washington, DC 20463
Toll Free 800-424-9630
Local 202-678-3120

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type & Print Name of Treasurer
Patrick O'Donnell

Patrick O'Donnell

Date

7-15-92

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437g.

FEC FORM 3

(revised 4/87)

EXHIBIT

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DETAILED SUMMARY PAGE of Receipts and Disbursements (Page 2, FEC FORM 2)

Name of Committee (in full) Mary Rose Oaker for Congress Committee		Report Covering the Period From 5/14/92 To 6/30/92	
I. RECEIPTS		COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			
(1) Limited (see Schedule A)		10,775.35	
(2) Unlimited		15,280.00	
(3) Total of contributions from individuals		123,362.93	195,474.55
(b) Political Party Committees		5,755.00	14,870.00
(c) Other Political Committees (such as PACs)		106,690.00	190,946.00
(d) The Candidate		-0-	-0-
(e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(1), (b), (c) and (d))		235,807.93	402,286.55
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		6,846.00	6,846.00
13. LOANS:			
(a) Made or Guaranteed by the Candidate		210,000.00	215,000.00
(b) All Other Loans		900.00	900.00
(c) TOTAL LOANS (add 13(a) and (b))		210,900.00	215,900.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		1,446.54	1,677.00
15. OTHER RECEIPTS (Gifts, interest, etc.)		-0-	-554.12
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)		454,295.49	616,844.11
II. DISBURSEMENTS			
17. OPERATING EXPENDITURES		352,858.31	998,159.48
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		-0-	-0-
19. LOAN REPAYMENTS:			
(a) Of Loans Made or Guaranteed by the Candidate			10,000.00
(b) Of All Other Loans			
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))			10,000.00
20. REFUND OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			
(b) Political Party Committees			
(c) Other Political Committees (such as PACs)		300.00	300.00
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))		300.00	300.00
21. OTHER DISBURSEMENTS		285.00	365.00
22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)		453,453.31	698,824.48
III. CASH SUMMARY			
23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD		\$	22,147.75
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)		\$	454,295.49
25. SUBTOTAL (add Line 23 and Line 24)		\$	476,443.24
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)		\$	453,453.31
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)		\$	22,989.93

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SCHEDULE C
(Revised 2/80)

LOANS

Page 1 of 5
LINE NUMBER 200
AND OTHER INFORMATION
FOR EACH SCHEDULED LINE

Name of Debtor (a.k.a.) Mary Rose Oaker for Congress Committee			
A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Guaranteed Payments To Date	Balance Outstanding at Close of This Period
Mary Rose Oaker 1892 West 30th Street	100,000.00	100,000.00	-0-
Station: ☐ Primary ☐ General ☐ Other (Specify): Terms: Date Incurred <u>5/23/92</u> Date Due <u>7/22/92</u> Interest Rate <u>Prime</u> (per) <u>26</u> ☐ Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code Society National Bank 127 Public Square Cleveland, OH 44113 (Original source of Loan)	Name of Employer N/A	Occupation N/A	Amount Guaranteed Outstanding N/A
2. Full Name, Mailing Address and ZIP Code Rolen Demio 1888 West 30th Street Cleveland, OH 44113	Name of Employer Petra Inc.	Occupation Fasion sales	Amount Guaranteed Outstanding -0-
3. Full Name, Mailing Address and ZIP Code Phillip Demio 1888 West 30th Street Cleveland, OH 44113	Name of Employer Ohio Lottery	Occupation Marketing Executive	Amount Guaranteed Outstanding -0-
B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Guaranteed Payments To Date	Balance Outstanding at Close of This Period
Mary Rose Oaker 1892 West 30th Street Cleveland, OH 44113	10,000.00	-0-	10,000.00
Station: ☐ Primary ☐ General ☐ Other (Specify): Terms: Date Incurred <u>1</u> Date Due <u>1</u> Interest Rate <u>1</u> (per) <u>1</u> ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code From personal funds of Miss Oaker	Name of Employer	Occupation	Amount Guaranteed Outstanding 1
2. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding 1
3. Full Name, Mailing Address and ZIP Code	Name of Employer	Occupation	Amount Guaranteed Outstanding 1
SUBTOTALS This Period This Page (optional)			10,000.00
TOTALS This Period (last page in this line only)			
Carry outstanding balance only to LINE 2, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.			

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07/15/92 10:40

202 225 0663

CONG. OAKAR

1002/004

Federal Election Commission
Washington, D.C. 20463Supplementary Information
found on Page 2 of Schedule C

LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS

NAME OF COMMITTEE OR FULL Mary Rose Oakar for Congress Committee		FOR IDENTIFICATION NUMBER C00047498	
FULL NAME, ADDRESS AND ZIP CODE OF LENDING INSTITUTION (Borrower) Society National Bank 127 Public Square Cleveland, Ohio 44114		AMOUNT OF LOAN \$100,000.00	DATE WHEN DATE MADE PT 1/28-28
		DATE WHEN DATE MADE 5/23/92	DATE WHEN DATE MADE 7/22/92
A. Has loan been restructured? ☐ No ☐ Yes If yes, date originally incurred: _____			
B. If line of credit, amount of this draw: <u>N/A</u> ; total outstanding balance: _____			
C. Are other parties secondarily liable for the debt incurred? ☐ No ☒ Yes (Indorsers and guarantors must be reported on Schedule C.)			
D. Are any of the following pledged as collateral for the loan: real estate, personal property, goods, negotiable instruments, certificates of deposit, chattel paper, stocks, accounts receivable, cash on deposit, or other similar collateral? ☐ No ☒ Yes If yes, specify: <u>Certificate of Deposit</u>			
What is the value of this collateral? <u>\$100,000.00</u>			
Does the lender have a perfected security interest in it? ☐ No ☒ Yes			
E. Are any future contributions or future receipts of interest income, pledged as collateral for the loan? ☐ No ☒ Yes If yes, specify: _____ What is the estimated value? _____			
A depository account must be established pursuant to 11 CFR 100.704(1)(ii) and 100.804(1)(ii). Date account established: _____ Location of account: _____			
F. If not, state the type of account, a depository account with deposits for the loan, or if the account is not a depository account, state the type of account, the date when the account was made, and the basis on which it will be reported.			
G. COMMITTEE TREASURER Typed name: <u>Pat O'Donnell</u>		Signature: <u>Pat O'Donnell</u> Date: <u>7-15-92</u>	
H. Attach a signed copy of the loan agreement.			
I. TO BE SIGNED BY THE LENDING INSTITUTION: I. To the best of this institution's knowledge, the terms of the loan and other information regarding the extension of the loan are accurate as stated above. II. The loan was made on terms and conditions (including interest rates) no more favorable at the time than those proposed for similar extensions of credit to other borrowers of comparable credit worthiness. III. This institution is aware of the requirements that a loan must be made on a basis which ensures repayment, and has complied with the requirements set forth at 11 CFR 100.704(1)(ii) and 100.804(1)(ii) in making this loan. Borrower on the loan described above was Mary Rose Oakar.			
AUTHORIZED REPRESENTATIVE Typed name: <u>Judy Johnson</u>		TITLE Vice President & Manager	
Signature: <u>Judy Johnson</u>		Date: <u>7/15/92</u>	

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7 4 0 4 3 5 9 0 8 4 0
9 2 0 1 4 5 9 0 1 1 2

FORM NO. 24-220 (Rev. 6-74)

COMMERCIAL NOTE VARIABLE RATE

\$ 100,000.00

May 22, 1992

Sixty (60) Days after date, hereinafter called, the undersigned herein called the "Borrower", who if two or more is number jointly and severally, promises to pay to the order of Security National Bank 127 Public Square, Cleveland, Ohio 44114 (hereinafter called the "Bank"), in good and collected funds the principal sum of One hundred thousand Dollars with interest from the date of the Note at the floating rate per annum equal to 2.00 % in excess of the Prime Rate in effect from time to time. Borrower promises to pay interest payable At Maturity commencing July 22, 1992 and computed on the principal sum hereon remaining from time to time unpaid. Borrower promises to pay the principal in ONE (1) consecutive payment of \$ 100,000.00 each, commencing July 22, 1992 and the balance of principal and interest, if any, at maturity, at any office of the Bank. Interest shall be calculated upon a year of 365/366 days for the exact number of days elapsed. The interest rate hereon will change immediately and correspondingly with any change in the Prime Rate.

The Prime Rate is defined as that interest rate established from time to time by Bank as Bank's Prime Rate, whether or not such rate is publicly announced. The Prime Rate may not be the lowest interest rate charged by Bank for commercial or other extensions of credit.

Prior to maturity, for any installment payment of principal and/or interest not paid when due, the Borrower shall pay a late charge of an amount equal to the greater of \$ 25.00 or 10.00 % of the payment. In addition, if the Note is not fully paid as to principal and interest at maturity, by acceleration or otherwise, the entire unpaid balance shall thereafter bear interest at the greater of 2.00 % in excess of the Prime Rate, which rate will be immediately and correspondingly adjusted with each change in the Prime Rate, or 11.50 %. In no event shall the interest rate exceed the maximum permitted by law. All partial prepayments will be applied to the principal installments in the inverse order of their due dates.

In order to secure the principal of and interest on this Note and all other liabilities of the Borrower or any of them, whether now existing or hereafter contracted, and whether due or to become due and in whatever manner or according to the Bank shall which, collectively called the "Liabilities", the following documents have been executed:

Assignment of certificate of deposit owned by Phillip C. Damio of even date.
Assignment of certificate of deposit owned by Helen M. Damio of even date.
Assignment of certificate of deposit owned by Helen M. Damio and Phillip C. Damio of even date.
Assignment of certificate of deposit owned by Helen M. Damio and Phillip C. Damio of even date.

All of the foregoing are hereinafter called the "Related Loan Documents". This Note shall be secured by any other document that may already have been executed or that may hereafter be executed, including without limitation, Related Loan Documents for other loans, which are designed to give or grant unto the Bank a security interest. The above described security interest shall include the payment of this Note as to all liabilities outstanding on the date this Note is paid and the Bank may thereafter retain this Note and the Related Loan Documents as evidence of said security interest.

If this Note is not payable on demand then upon the occurrence of any of the following events: (a) default by the Borrower in the payment of any principal of, or interest on this Note when and as same shall become due and payable, whether at maturity, by acceleration, or otherwise; or (b) default by the Borrower in the payment of any of its other liabilities or indebtedness (other than that secured by this Note) when and as same shall become due and payable; or (c) any representation or warranty made or any financial statement or other information furnished by the Borrower or any officer or representative of it in connection with the execution and delivery of this Note or any Related Loan Document, or in any certificate furnished by the Borrower shall prove to be false at any time in connection with the execution and delivery of this Note; or (d) default by the Borrower in the due performance of any term, provision or agreement to be performed by it under this Note or any Related Loan Document; or (e) the Borrower or any officer, partner or guarantor with respect to this Note, shall become involved in financial difficulties as evidenced by: (i) making an assignment for the benefit of creditors or the commencement of any similar debtor relief proceeding, whether judicial or otherwise; (ii) consent to or application for the appointment of a receiver, liquidator, custodian or receiver for all or a major portion of its property; (iii) the commencement of any action or proceeding under any other federal or state bankruptcy, insolvency, reorganization or other similar law, or have such a proceeding commenced against any of them; and either have an insolvency proceeding entered against any of them or have the proceeding commenced or stayed for 60 days; or (iv) entry of a final judgment for the payment of a debt by the Borrower or any officer or partner thereof and the same shall not be discharged within 30 days of its entry or an appeal or proceeding to review such judgment is pending; or (v) the dissolution or termination of the corporate charter or of the

at any office of the Bank, interest shall be calculated upon a year of 360 days for the number of days elapsed. The interest rate herein will change immediately and correspondingly with change in the Prime Rate.

The Prime Rate is defined as that interest rate established from time to time by Bank as Bank's Prime Rate, whether or not such rate is publicly announced. The Prime Rate may not be the lowest interest rate charged by Bank for commercial or other extensions of credit.

Prior to maturity, for any installment pay more of principal and/or interest not paid when due, the Borrower shall pay a late charge of an amount equal to the greater of \$25.00 or 10.00% of the payment. In addition, if the Note is not fully paid as to principal and interest at maturity, by acceleration or otherwise the entire unpaid balance shall thereafter bear interest at the greater of 2.00% in excess of the Prime Rate, which rate will be immediately and correspondingly adjusted with each change in the Prime Rate, or 11.50% in no event shall the interest exceed the maximum permitted by law. All partial prepayments will be applied to the prior due installments in the inverse order of their maturities.

In order to secure the principal of and interest on this Note and all other liabilities of the Borrower or any of them, whether now existing or hereafter contracted, and whether due or to become due and in whatever way acquired by or accruing to the Bank all of which are hereby collectively called the "Liabilities" the following documents have been executed:

Assignment of certificate of deposit executed by Phillip G. Demio of even date.
Assignment of certificate of deposit executed by Helen M. Demio of even date.
Assignment of certificate of deposit executed by Helen M. Demio and Phillip G. Demio of even date.
Assignment of certificate of deposit executed by Helen M. Demio and Phillip G. Demio of even date.

All of the foregoing are hereinafter called the "Related Loan Documents". This Note shall further be secured by any other document that may already have been executed or that may hereafter be executed, including, without limitation, Related Loan Documents for other liabilities, which are designed to give or grant unto the Bank a security interest. The above described security interests shall survive the payment of this Note as to all liabilities outstanding on the date this Note is paid and the Bank may thereafter retain this Note and the Related Loan Documents to evidence the grant of said security interests.

If this Note is not payable on demand then upon the occurrence of any of the following events (a) default by the Borrower in the payment of any principal or interest on this Note when and as same shall become due and payable, whether at maturity, by acceleration, or otherwise; or (b) default by the Borrower in the payment of any of its other liabilities or indebtedness (whether then due and payable or not); or (c) any representation or warranty made or any financial statement or other information furnished by the Borrower or any officer or representative of it in connection with the execution and delivery of this Note or any Related Loan Document, or in any certificate furnished pursuant hereto shall prove to be false at any time in any material respect; or (d) default by the Borrower in the due performance of any term, provision or agreement to be performed by it (either then or for the payment of principal or interest, containing herein or in any Related Loan Document or other instrument of security for this Note or any other liability; or (e) the Borrower or any endorser, co-maker or guarantor with respect to this Note, shall become involved in financial difficulties as evidenced by: (i) making an assignment for the benefit of creditors or the commencement of any similar debtors' relief proceeding, whether judicial or otherwise; (ii) consent to or application for the appointment of a receiver, liquidator, custodian or receiver for all or a major portion of its property; (iii) the commencement of any action or proceeding under any other federal or state bankruptcy, insolvency, composition, debt relief, reorganization or other similar law, or have such a proceeding commenced against any of them and either have an order of insolvency or reorganization entered against any of them or have the proceeding remain undischarged or unstay for 60 days; (iv) entry of a final judgment for the payment of money against any of them and the same shall not be discharged within 30 days of its entry, or an appeal or proceeding for review shall not be taken within said time and a stay of execution pending such appeal shall not be obtained; or (v) death, dissolution or suspension of the corporate charter or of the partnership, insolvency or failure or suspension of the usual business of any of them or (vi) the issuance of any attachment, garnishment, execution, federal tax levy, or other process or seizure against any of their property; or (vii) the failure to pledge or hypothecate hereunder additional security when and as demanded by the Bank, or (viii) Bank shall deem itself insecure, in good faith, believing that the prospect of payment of this Note or any of the other liabilities or the performance under the Related Loan Documents or any instrument providing security for this Note is impaired; or (ix) failure to furnish at least annually, or more frequently at the option of the Bank, certified financial statements including balance sheets and statements of income and expense; then this Note and all other liabilities at the Bank's option, shall become due and payable immediately by acceleration, without notice or demand.

Each Borrower and each endorser, guarantor, and surety hereby irrevocably and exclusively, demand for payment, protest, notice of protest, and notice of nonpayment, and further agree and covenants that, without notice and without affecting their liability hereon, the holder hereof at any time or times is authorized: (a) correct past errors and fill blanks herein; (b) cause or permit the signature of one or more additional persons, co-makers, sureties, guarantors and/or endorsees to be added hereon; (c) extend the time of payment of this Note in whole or in part; (d) sell, exchange, surrender, substitute or otherwise deal with any collateral now or hereafter securing this Note; and (e) modify, waive, supplement or otherwise change the terms of any security agreement pertaining to this Note.

The Borrower, who if two or more in number jointly and severally, authorizes any attorney at law to appear in any court of record in the State of Ohio, or in any other state or territory of the United States, after this Note becomes due, either by lapse of time or by operation of any provision for acceleration contained hereon or in any agreement pursuant to which this Note may have been issued, and make the defense and service of process, cause appearance and obtain a judgment against any one or more or all of the undersigned in favor of any holder of this Note for the amount then remaining due, together with costs of suit, and to sign any release or judgment to release all errors and waive all rights of appeal and stay of execution; but no such judgment or judgment of discharge shall be a bar to subsequent judgment or judgments pursuant to this warrant of attorney against any one or more or all of the Borrowers against whom judgment has not been obtained hereon. The Bank, its attorneys or other agents or servants of the Bank shall not impair the authority hereby granted to the survivor or survivors of the Borrowers.

The Borrower hereby acknowledges this Note was signed in Cleveland

Ohio

WARNING: BY SIGNING THIS NOTE YOU ARE AGREEING TO PAY THE ENTIRE AMOUNT DUE ON THIS AGREEMENT WITHOUT ANY DEFENSE, WHETHER YOU HAVE A CLAIM OR NOT. IF YOU DO NOT PAY ON THIS AGREEMENT, WE MAY SUE YOU IN COURT AND WE MAY OBTAIN A JUDGMENT AGAINST YOU FOR THE AMOUNT DUE ON THIS AGREEMENT. IF YOU DO NOT PAY, WE MAY SUE YOU IN COURT AND WE MAY OBTAIN A JUDGMENT AGAINST YOU FOR THE AMOUNT DUE ON THIS AGREEMENT. IF YOU DO NOT PAY, WE MAY SUE YOU IN COURT AND WE MAY OBTAIN A JUDGMENT AGAINST YOU FOR THE AMOUNT DUE ON THIS AGREEMENT.

1892 W. 30th Street

Cleveland, Ohio 44113

Mary Rose Oshar

IES/10-B
OTICES/11-B

4 0 4 3 5 9 0 8 4 2
THE PLAIN DEALER
METRO
& STATE

B

*SUNDAY, JULY 26, 1992

Campaigning out of state

Oakar's aggressive fund-raising tops \$590,000 for primary

By KERN EPSTEIN
and TOM DYMER
PLAIN DEALER BUREAU

WASHINGTON

Rep. Mary Rose Oakar poured \$590,480 into her primary election campaign through an aggressive fund-raising effort that again relied on wealthy individuals and out-of-state special interest groups.

Oakar is still paying for her victory in the primary, according to reports Oakar filed with Federal Election Commission. She took out a second \$180,000 loan last month to repay Society National Bank for money borrowed in May to pump into her hotly contested primary campaign. Oakar won the Democratic nomination in the new 10th District on June 2, car-

■ For the June primary campaign, Rep. Mary Rose Oakar outspent her closest rival, Cuyahoga County Commissioner Tim Hagan, by nearly \$300,000. Page 8-B.

rying 29% of the vote against his challengers.

With her loan repayment to Society due within 60 days, Oakar went out of state for a \$100,000 loan from Haymarket Co-operative Bank of Boston, pledging her \$120,500 House salary as collateral.

In securing the original loan from Society last May, Oakar pledged a certificate of deposit valued at \$100,000 and was backed up by two co-signers, her sister, Helen M. DeMio, and brother-in-law, Philip C.

DeMio, both of whom also put up CDs, according to FEC reports.

Under terms reported to the FEC, the new bank agreement required her to put future campaign contributions into a special account as security. The note is due next June.

The FEC report reflects Oakar's pattern of turning more often to outside financial sources for support rather than to the working class voters on Cleveland's West Side, with whom she has been identified.

The outside financial sources who

are supporting her on the Hill come from same areas in which she is actively involved. She champions the causes of government employees, is a member of the Banking Committee, and has been active on health issues.

The Center for Responsive Politics last month released a study of 1990 congressional campaign financing that ranked Oakar third among all House members in percentage of contributions from political action committees. Such committees are the interest groups and lobbyists that critics call the "cash constituents" of Congress.

SEE PRIMARY/8-B



MARY ROSE OKAR: Still paying primary election expenses.

Housing codes new attack in city's drug war

By PATRICK O'DONNELL
PLAIN DEALER BUREAU

CLEVELAND

The operations of the city's Drug House Task Force, which has boarded up hundreds of homes, have raised questions about whether the rights of property owners are collateral damage of the war on drugs.

The homes are not being boarded up without by state and city laws passed for the purpose of closing down drug houses. The city is now claiming the homes because of what officials say are violations of housing, health and fire codes that pose an "immediate hazard to human life and health."

people and that is not right.

The landlords say they are being unfairly singled out. They note that the administration of Mayor Michael R. White has acknowledged that nearly half of the city's occupied rental units either need substantial repair or are beyond repair. Several property owners accuse the city of boarding up homes and never making repairs.

Frank Schar, who runs the program for the city's Social Department, said the task force is careful about not violating owners' rights. He said the houses the city is boarding up are deteriorated and should be condemned. And, he said, the city has made sure it has the right to close the buildings.



EXPORT

More than 80 cents of every dollar Oakar received for her 1990 campaign came from PACs representing bankers, developers, doctors, unions and other special interests.

Researcher Larry Makinson of the CRP claims many lawmakers have two kinds of constituents: the voters back home and the "cash constituents," who finance campaigns and come calling after Election Day.

A Plain Dealer examination of Oakar's campaign receipts, as reported to the Federal Election Commission, shows that over the last 5½ years she has taken in more than 70 cents of every dollar — not just from outside her Cuyahoga County district but from outside Ohio.

However, in the closing weeks of her primary campaign, Oakar looked to Greater Cleveland donors. Of the \$235,203 she raised since mid-May, \$90,525 came from individuals or political action committees based in Ohio.

The infusion of cash — with the money she lent her campaign — enabled her to buy more than \$180,200 in media advertising in the final days of her campaign.

Even within Ohio, relatively few of Oakar's contributors are typical middle-class voters. Many hold important positions in government, business or medicine.

She has raised money from tobacco interests, out-of-state banks and savings and loans, and even from Florida sugar growers. Occidental Petroleum executives and its PAC have contributed \$20,000 to her since 1987.

There is no impropriety in the manner in which Oakar raises money intended to help her win re-election. Many members of Congress take money from special interests beyond their congressional districts.

But it troubles Makinson and many others who pressure Capitol Hill for campaign finance reform.

For Oakar, who has a reputation as a strong grassroots campaigner known for delivering federal government largesse to her district, the flow of money demonstrates that her financial base — like that of many of her colleagues — lies primarily elsewhere.

They "may be listening to two competing sets of constituents — the real constituents back home in the district, and the cash constituents who come to call in Washington," Makinson said. "Money drives American politics these days."

This is not to say that Oakar is refused generosity locally. The Ratner family, developers who own Forest City Enterprises, which benefited from Oakar's help in bringing government grants to Tower City, have contributed \$30,725 since 1987. For-

est City executive Sam Miller contributed \$1,000 for the primary and \$1,000 for the coming fall campaign to Oakar — the maximum allowed — after the June 2 primary.

Greater Cleveland Arab-American physicians also have assisted her campaign, as have lawyers at the firm of Squire Sanders & Dempsey. But she also has received money from Texas oil man T. Boone Pickens and radio personality Casey Kasem.

An examination of five years of Oakar's contributions since 1987 shows that organized labor comprises the largest category of contributors. About \$353,175, or more than one-fifth of her campaign dollars, have come from the PACs or executives of unions, many representing government employees.

She has received more than \$199,000, or nearly 12% of her money, from the banking, S&L and mortgage industry, another \$82,825 from developers and real estate interests, \$78,300, or 4.7% from the health care industry, including doctors, and \$48,450 from investors, brokers and traders.

Just last month, she received an individual contribution of \$1,000 — the day before the June 2 primary — from Bernadine Healy, director of the National Institutes of Health and former head of research at the Cleveland Clinic.

Oakar's network of political allies also came to her aid in the tough primary campaign.

Former Rep. James V. Stanton, her predecessor on the West Side, gave her \$1,000 in May. His son, Richard P. Stanton, a former Oakar aide and now assistant counsel to the U.S. House leadership, donated another \$1,000. Former Cleveland Council President George Forbes chipped in \$1,000.

Although Oakar had her differences with Rep. Louis Stokes, D-21, of Shaker Heights, over the remapping of their adjacent congressional districts, Stokes political committee gave her \$1,000 two days after she won the primary election.

Her friend, Ruth Miller, another member of the Ratner family and another developer of Tower City, came through with \$1,000. Oakar, who faces Republican businessman Martin Hoke in November, was the only Greater Cleveland House member challenged by a contested primary and one of only two incumbents seeking re-election. The other was Stokes.

Stokes' campaign disclosures, filed last week with the FEC, show total contributions of \$79,375 so far this year. About 71% — or \$56,850 — came from political action committees. He faces University Heights Mayor Beryl Rothschild in the general election for the new 11th Congressional District seat.

Reporter Michelle Ruess contributed to this article.

RECEIVED
FEDERAL ELECTION COMMISSION
JUN 10 1990



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

October 19, 1992

Jeffrey P. Hastings, Executive Director
Cuyahoga County Republican Organization
The Leader Bldg., Suite One
Cleveland, OH 44114-1210

RE: MUR 3650

Dear Mr. Hastings:

This letter acknowledges receipt on October 13, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Mary Rose Oakar for Congress Committee, and Patrick J. O'Donnell, as treasurer, Helen Demio and Philip Demio. 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 3650. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne Weissenborn".

Anne Weissenborn
Acting Assistant General Counsel

Enclosure
Procedures

4043590844



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

October 19, 1992

Patrick J. O'Donnell, Treasurer
Mary Rose Oakar for Congress Committee
P.O. Box 458
Cleveland, Ohio 44107

RE: MUR 3650

Dear Mr. O'Donnell:

The Federal Election Commission received a complaint which indicates that Mary Rose Oakar for Congress Committee ("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 3650. 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 Committee and you, as treasurer, 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.

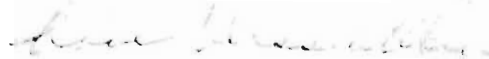
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

14043590845

Patrick J. O'Donnell, Treasurer
Mary Rose Oakar For Congress Committee
Page 2

If you have any questions, please contact Jeffrey D. Long, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Anne Weissenborn
Acting Assistant General Counsel

Enclosures

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

cc: The Honorable Mary Rose Oakar

14043590846



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 19, 1992

Helen Demio
1888 W. 30th Street
Cleveland, Ohio 44113

RE: MUR 3650

Dear Ms. Demio:

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 3650. 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.

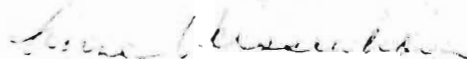
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

4043590847

Helen Demio
Page 2

If you have any questions, please contact Jeffery D. Long, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Anne Weissenborn
Acting Assistant General Counsel

Enclosures

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

24043590848



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

October 19, 1992

Philip Demio
1888 W. 30th Street
Cleveland, Ohio 44113

RE: MUR 3650

Dear Mr. Demio:

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 3650. 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.

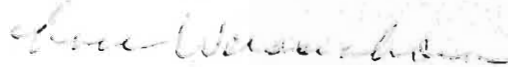
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed 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.

4043590849

Philip Demio
Page 2

If you have any questions, please contact Jeffrey D. Long, the staff member assigned to this matter, at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Anne Weissenborn
Acting Assistant General Counsel

Enclosures

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

24043590860

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

P. O. BOX 7565

WASHINGTON, D.C. 20044

(202) 662-6000

TELEFAX (202) 662-6291

TELEX 89-593 (COVLING WSH)

CABLE COVLING

RICHARD D. SHORE

DIRECT DIAL NUMBER

(202) 662-5452

November 2, 1992

ACHESON HOUSE
46 HERTFORD STREET
LONDON W1T7F ENGLAND
TELEPHONE 44-71-462-6656
TELEFAX 44-71-462-6101
BRUSSELS CORRESPONDENT OFFICE
44 AVENUE DES ARTS
BRUSSELS 1040 BELGIUM
TELEPHONE 32-2-512-6690
TELEFAX 32-2-506-1998

RECEIVED
FEDERAL ELECTION COMMISSION
NOV 2 4:50

BY HAND

Jeffrey D. Long, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3650 -- Mary Rose Oakar for
Congress Committee and Patrick J.
O'Donnell as treasurer, and Helen
and Philip Demio, Respondents

Dear Mr. Long:

I am writing as counsel to the Respondents in the above-referenced Matter Under Review ("MUR") to confirm the request that I made when we spoke earlier today that the Respondents be granted an extension of 30 days to respond to the complaint in the above-referenced MUR. You indicated that you believe that such an extension would be appropriate.

As we discussed, given the press of activity associated with the election on November 3, it will not be possible to begin to assemble a response to the complaint for the next several days. The Respondents require the extension in order to respond fully to the matters raised in the complaint.

I learned after we spoke that the notices concerning the complaint had been received on October 22, rather than on October 26 as I originally had thought. Consequently, the thirty-day extension would run until December 7, 1992.

If you have any questions concerning this matter, please call me.

Sincerely yours,



Richard D. Shore

2 4 0 4 3 5 9 0 3 5 1

STATEMENT OF DESIGNATION OF COUNSEL

REC'D
FEDERAL BUREAU OF
INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
MAIL ROOM

Nov 2 9 44 AM '92

MUR 3650

NAME OF COUNSEL: Richard D. Shore

ADDRESS: Covington & Burling
1201 Pennsylvania Ave. NW
P.O. Box 7566
Washington, DC 20044

TELEPHONE: (202) 662-6000

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.

10/29/92
Date

Patrick J. O'Donnell
Signature

RESPONDENT'S NAME: Mary Rose Oakar for Congress Committee, Patrick J. O'Donnell
Treasurer

ADDRESS: P.O. Box 458
Edgewater Branch
Lakewood, OH 44105-0458

TELEPHONE: HOME

BUSINESS()

24043590852

92101-2 PM 4:18



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1992

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3650
Mary Rose Oakar for Congress
Committee and Patrick J.
O'Donnell, as treasurer

Helen Demio
Philip Demio

Dear Mr. Shore:

This is in response to your letter dated November 2, 1992, which we received on that day, requesting an extension of 30 days to respond to the complaint filed in the above-referenced matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on December 7, 1992.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

A handwritten signature in cursive script, which appears to read "Jeffrey D. Long", is written over a horizontal line.

Jeffrey D. Long
Paralegal

14043590853

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

P.O. BOX 7566

WASHINGTON, D.C. 20044

(202) 662-6000

TELEFAX (202) 662-6291

TELEX 89-593 (COVING WSH)

CABLE COVING

RICHARD D. SHORE

DIRECT DIAL NUMBER

(202) 662-5452

December 7, 1992

OGC 7816

ACHESON HOUSE

46 HERTFORD STREET

LONDON W1Y7TF ENGLAND

TELEPHONE 44-71-495-5655

TELEFAX 44-71-495-3101

BRUSSELS CORRESPONDENT OFFICE

44 AVENUE DES ARTS

BRUSSELS 1040 BELGIUM

TELEPHONE 32-2-512-9990

TELEFAX 32-2-502-1598

BY MESSENGER

Mr. Jeffrey D. Long
Paralegal
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3650

Dear Mr. Long:

Enclosed please find the Joint Submission Of The
Mary Rose Oakar For Congress Committee And Patrick O'Donnell,
Treasurer, And Helen And Phillip Demio in the above-captioned
matter under review ("MUR").

Sincerely yours,



Richard D. Shore

Enclosure

4043590854

92 DEC -7 PM 5:20

RECEIVED
FEDERAL ELECTION COMMISSION
92 DEC -7 PM 5:20

FEDERAL ELECTION COMMISSION

In re:

Mary Rose Oakar for Congress
Committee, et al.,

Respondents.

MUR No. 3650

JOINT SUBMISSION OF THE MARY ROSE OAKAR FOR CONGRESS COMMITTEE
AND PATRICK O'DONNELL, TREASURER, AND HELEN AND PHILLIP DEMIO

Charles F.C. Ruff
Scott D. Gilbert
Richard D. Shore
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044
(202) 662-6000

Attorneys for the Mary Rose Oakar
for Congress Committee and Patrick
O'Donnell, Treasurer, and Helen
and Philip Demio

December 7, 1992

550804040

FEDERAL ELECTION COMMISSION

In re:

Mary Rose Oakar for Congress
Committee, et al.,

Respondents.

MUR No. 3650

JOINT SUBMISSION OF THE MARY ROSE OAKAR FOR CONGRESS COMMITTEE
AND PATRICK O'DONNELL, TREASURER, AND HELEN AND PHILLIP DEMIO

The Mary Rose Oakar for Congress Committee (the "Committee") and Patrick O'Donnell, the Committee's treasurer, and Helen and Phillip Demio (collectively, the "Respondents") make this joint submission in the above-captioned matter under review ("MUR 3650").

On or about October 8, 1992, Jeffrey P. Hastings, Executive Director of the Cuyahoga County Republican Organization, filed a complaint (the "Complaint") with the Federal Election Commission (the "Commission") alleging that the Committee and its treasurer had violated the Federal Election Campaign Act of 1971^{1/2} (the "Act") in connection with a loan taken out by Congresswoman Mary Rose Oakar on May 23, 1992. The Complaint alleges that the endorsement or guarantee of the loan

^{1/2} U.S.C. § 431 et seq.

gave rise to contributions to the Committee that exceeded the limits imposed by the Act.

The loan referred to in the Complaint, a sixty-day, \$100,000.00 loan from the Society National Bank of Cleveland, Ohio ("Society"), was taken out by Congresswoman Oakar on May 23, 1992. Under the terms of the loan, Congresswoman Oakar, the sole "Borrower," was personally liable to repay the full face amount of the loan, plus interest at a rate of two percent (2%) over the prime rate.^{2/}

In order to assist Congresswoman Oakar to meet Society's collateral requirements, her sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000.00. The collateral was never called upon to pay either principal or interest on the loan.

The proceeds of the loan were contributed by Congresswoman Oakar to her 1992 campaign for reelection to Congress. Subsequently, following a review of the circumstances surrounding the loan by counsel to the Committee, it was determined that the use of the Demios' certificates of deposit as collateral might be viewed as giving rise to an excessive contribution to the Committee. As a result, the Committee took immediate steps to obtain another loan, secured by collateral that did not pose the risk of an excessive contribution, to replace the loan taken out by Congresswoman Oakar. The Committee

^{2/}A copy of the note evidencing the Society loan is attached hereto as Exhibit A.

replaced the Society loan well within the sixty-day period established by the Commission -- and acknowledged in the Complaint itself^{3/} -- for refunding excessive contributions.^{4/} As a result of the Committee's efforts, the Society loan was outstanding for only a short period of time.

The replacement loan, a \$100,000.00 loan from the Haymarket Co-operative Bank of Boston, Massachusetts ("Haymarket"), was obtained on June 9, 1992, and, on June 12, 1992, when the proceeds of the Haymarket loan were disbursed, the Society loan was repaid in full. The Haymarket loan, which had a term of one year and bore an interest rate of two percent (2%) over the prime rate, was secured by the following assets of the Committee and of Congresswoman Oakar: (1) all contributions received by the Committee; (2) the Committee's campaign depository account; and (3) Congresswoman Oakar's salary from the U.S. House of Representatives.^{5/}

In addition to reversing the Society loan as described above, the Committee fully disclosed the relevant facts concerning the loan and the collateral in its July 1992 Quarterly Campaign Finance Report filed with the Commission. The Committee did so well in advance of the inception of this MUR, and without

^{3/}See Complaint, In the Matter of Mary Rose Oakar for Congress Committee, et al., Respondents, at 3.

^{4/}See 11 C.F.R. § 103.3(b)(3).

^{5/}A copy of the note and security agreement evidencing the Haymarket loan, and an amendment thereto, are attached hereto as Exhibit B.

14043590858

prompting from the Commission, the news media, or any other source.

★

★

★

Given the facts set forth above, the Committee's good faith in attempting to resolve any possible problems with the Society loan once concerns were raised by counsel, and the Committee's full, prompt and voluntary disclosure to the Commission of the relevant facts concerning the Society loan, the Respondents respectfully request that the Commission find no reason to believe that any violation of the Act has taken place in connection with the allegations in the Complaint or, in the alternative, take no further action in this MUR 3650.

Respectfully submitted,



Charles F.C. Ruff
Scott D. Gilbert
Richard D. Shore
COVINGTON & BURLING
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044
(202) 662-6000

Attorneys for the Respondents

December 7, 1992

4043590859

EXHIBIT A

04043590860

MAY 23. 1932

— Steakin called the "Bark" a "small and colorful boat."

is payable in any office of the Bank. Interest shall be calculated upon a year of 365/366 days to the actual number of days elapsed. The interest rate herein will change immediately and correspondingly with each change in the Prime Rate.

The Prime Rate is defined as the interest rate established from time to time by Bank as Bank's Prime Rate, whether or not such rate is publicly announced. The Prime Rate may not be the lowest interest rate charged by Bank for revolving or other extensions of credit.

Prior to maturity, for any installment payment of principal and/or interest not paid when due, the Borrower shall pay a late charge of an amount equal to the greater of \$ 25.00 or 10.00% of the payment. In addition, if the Note is not fully paid as to principal and interest at maturity (by acceleration or otherwise) the entire unpaid balance shall thereafter bear interest at the greater of 2.00 % in excess of the Prime Rate, which rate will be immediately and correspondingly adjusted with each change in the Prime Rate, or 11.50 %. In no event shall the interest rate exceed the maximum permitted by law. All partial prepayments will be applied to the principal installments in the inverse order of their maturity.

to endorse or purchase the principal of and interest on this Note and all other Substitutes of the Borrower or any of them, whether now existing or hereafter constructed, and whether due or to become due and in whatever way acquired by or accruing to the Bank all of which are herein collectively called the "Substitutes"; the following documents have been submitted:

Double of even data

All of the foregoing are hereinafter called the "Related Loan Documents". This Note shall further be secured by any other documents that may already have been executed or that may hereafter be executed, including, without limitation, Related Loan Documents for other Liabilities, which are designed to give or give up the Bank a priority interest. The above-described security interests shall secure the payment of this Note as to all Liabilities outstanding on the date this Note is paid and the Bank may thereafter retain this Note and the Related Loan Documents to evidence the same or subsume same.

If this Note is not payable on demand then upon the occurrence of any of the following events: (a) default by the Borrower in the payment of any principal of, or interest on, this Note when and as same shall become due and payable, whether or not, by acceleration, or otherwise; or (b) default by the Borrower in the payment of any of its other liabilities or indebtedness then due and payable by this Note when and as same shall become due and payable; or (c) any representation or warranty made by or for the Borrower or other information furnished by the Borrower or any other representative of it in connection with the execution and delivery of this Note or any related Loan Document, or in any writings furnished pursuant hereto shall prove to be false in any material respect; or (d) default by the Borrower in the due performance of any term, condition or agreement to be performed by it later than the repayment of principal or interest, contained herein or in any related Loan Document or other document of security for this Note or any other Liability; or (e) the Borrower or any endorser, co-maker or guarantor with respect to this Note, shall become involved in financial difficulties as evidenced by (i) making an assignment for the benefit of creditors or the commencement of any similar device or proceeding, whether judicial or otherwise, (ii) consent or cooperation for the liquidation of assets, insolvency, reorganization, dissolution or transfer for all or a major portion of its property; (iii) the commencement of any action or proceeding under any federal or state bankruptcy, insolvency, reorganization, debtors relief, receivership or other similar law, or law with a proceeding commenced against any of them and either have an order of bankruptcy or reorganization entered against any of them or have such proceeding remain undischarged or continued for 60 days; (iv) any of them being subject for the payment of money judgments or other claims that are not paid within 30 days of entry, or an appeal or proceeding for review shall be taken within said time and a stay of execution pending such appeal shall not be obtained; or (v) death, dissolution or completion of the corporate structure of the partnership, partnership or failure or suspension of the trust business of any of them or (vi) the incurrence of any attachment, garnishment, execution, federal tax levy, or other process or seizure against any of their property; or (7) the following charges or liabilities become or become additional security when and as demanded by the Bank; or (8) Bank shall deem itself necessary, in good faith, believing that the payment of payment of this Note or any of the other Liabilities or the performance under the related Loan Document or any other document providing security for this Note is jeopardized, or the Borrower is likely at least to be, or even temporarily in the opinion of the Bank, entitled to special treatment including between them and payment of interest and expenses; then this Note and all other Liabilities at the Bank's option, shall become due and payable immediately, by acceleration, without notice or demand.

Each Guarantor and each endorser, Guarantor, and jointly and/or severally, warrant, demand for payment, payment, notice of payment, and notice of nonpayment, and further agree and covenant that, without notice and without affecting their liability hereon, the holder hereof at any time or times is authorized to its correct present address and all banks having the same or persons the signature of one or more additional makers, acceptors, guarantors and/or endorser to be added hereon: (c) extend the time of payment of this Note in whole or in part by bill, exchange, promisor, subexchange or otherwise and with any collateral now or hereafter existing on this Note; and (d) modify, waive, suspend or otherwise change the terms of any security agreement subsisting on this Note.

Therefore, when if two or more in several jointly and separately, authorize any attorney at law to appear in any court of record in the State of Ohio, or in any other state or territory of the United States, after this three business days, either by express or by operation of any provision for consideration or settlement of any claim or controversy, agreement or promise which this they may have then made or agreed, and making the business and service of process, make appropriate orders or judgments against any one or more or all of the undersigned in favor of any holder of this note, for the reasons then appearing, together with costs of suit, and thereupon to release all claims and waive all rights of appeal and any of execution, but no such judgment or order shall be binding on all of the Signatories but be a bar to subsequent judgment or judgments pursuant to this version of agreement, whether or not all of the Signatories appear when judgment or order has been obtained herein. The check, incompetency or disability of any signatory of this agreement shall not impede the authority herein granted to the purveyor or servicer of the instrument.

The Bureau's inquiry into the matter was closed in Cleveland

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THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE AND IS NOT TO BE RELEASED TO THE PUBLIC OR ANY OTHER PERSON WITHOUT THE WRITTEN AUTHORIZATION OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. FOR MORE INFORMATION, CONTACT THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, COLLEGE PARK, MARYLAND 20740-6001, OR THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, COLLEGE PARK, MARYLAND 20740-6001, OR THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, COLLEGE PARK, MARYLAND 20740-6001.

1492 W. 30th Street

Cleveland, Ohio 44113

MARY MOSES OLEARY

24043590862

EXHIBIT B

June 9, 1992

NOTE AND SECURITY AGREEMENT

FOR VALUE RECEIVED THE UNDERSIGNED PROMISES TO PAY TO THE ORDER OF MAYMARKET CO-OPERATIVE BANK, BOSTON, MASSACHUSETTS, AT SAID BANK, THE PRINCIPAL AMOUNT OF ONE HUNDRED THOUSAND DOLLARS, together with interest thereon at the prime rate of interest as announced by the Bank from time to time plus two percent (2%) (the "Annual Percentage Rate").

This note shall be payable in 11 monthly installments of principal of \$8,000 each due on the eighth day of each calendar month beginning July 8, 1992, together with interest to the date of each installment; and the balance of the principal shall be due on June 8, 1993, together with interest through that date.

To secure this note and any other Obligations, the maker hereby grants to said Bank a security interest (a) in all campaign contributions received by the maker after the date hereof; (b) in a special account ("Campaign Account") at Ameritrust Bank, Clark-W. 25th Street Office, Cleveland, Ohio 44109 designated account number _____ into which the maker agrees to deposit all said campaign contributions so long as this note is outstanding, and with respect to which the Bank is hereby granted an assignment to access funds; and (c) in Congresswoman Mary Rose Oskar's salary from the U.S. House of Representatives (the "collateral"). The maker may withdraw funds from the Campaign Account from time to time provided that there is then no default under this note.

The maker shall be entitled to prepay this note, in whole or in part, without penalty at any time and may use the funds held in the Campaign Account for such purpose.

The maker represents and warrants that the repayment terms are consistent with the maker's reasonable expectation of campaign receipts and expenses through June 1993 as set forth in the letter attached hereto.

WRO make
This note and any or all other Obligations of the maker to the holder shall, at the holder's option, become immediately due and payable without notice or demand at any time after; (a) default in the payment or performance of any of the Obligations; (b) loss, theft, substantial damage, sale or encumbrance to or of any property constituting collateral hereunder of the making of any levy, seizure or attachment thereof or thereon; or the failure to pay when due any tax thereon or, with respect to any insurance policy, any premium therefor; (c) default under any instrument constituting collateral hereunder; (d) death, dissolution, termination of existence, insolvency, business failure, appointment of a receiver of any part of the property of, assignment for the benefit of creditors by, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against any Obligor; (e) if there be such a change in the condition of affairs (financial or otherwise) of any of the undersigned, or of any such maker, co-maker, endorser, or guarantor, as in the opinion of the holder will impair its security or increase its risk; thereupon or at any time thereafter (such default no having been previously cured), at the option of the holder, all Obligations of the maker shall become immediately due and payable without notice or demand and the holder shall then have in any jurisdiction where enforcement hereof is sought, in addition to all other rights and remedies, the rights and remedies of a secured party under the Uniform Commercial Code of Massachusetts. The rights and remedies of the holder shall be cumulative and not alternative and the holder need not first resort to the collateral.

Any sums credited by or due from the holder to any Obligor and any property of any Obligor in which the holder has any security interest or which may be in the possession of the holder may at any time be treated or held as collateral security for the payment or performance of the Obligations of such Obligor to the holder. Regardless of the adequacy of collateral, the holder may apply such sums or property or realizations upon any such security interest against said Obligations at any time in the case of a primary Obligor but only against matured Obligations in the case of a second Obligor.

The holder may at its option whether or not this note is due, demand, sue for, collect or make any compromise or settlement it deems desirable with reference to collateral held hereunder. Rights are expressly granted to the holder at its option to transfer at any time to itself or to its nominee any securities or documents pledged hereunder and to receive the income thereon and hold the same as security therefor; or apply it on the principal or interest due hereon or due on any liability secured hereby. The holder shall have no duty as to the collection or protection of collateral held hereunder or of any income thereon, and shall not be bound to take any steps necessary to preserve any rights in collateral against prior parties.

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No delay or omission on the part of the holder in exercising any right hereunder shall operate as a waiver of such right or of any other right under this note. No waiver of any right shall be effective unless in writing and signed by the holder nor shall a waiver on one occasion be construed as a bar to or waiver of any such right on any future occasion.

Each Obligor waives presentment, demand, notice, protest, and all other demands and notices in connection with the delivery, acceptance, performance, default or enforcement of this note or of any collateral hereunder, and assents to any extension or postponement of the time of payment of any other indulgence under this note or such collateral, to any substitution, exchange or release of collateral, and to the addition or release of any other Obligor or person primarily or secondarily liable.

The undersigned will pay on demand all costs of collection and attorneys fees paid or incurred by the holder in enforcing this note on default, as provided for by applicable law.

As herein used, "Obligor" means any person primarily or secondarily liable hereunder or in respect hereto; "Obligation" means any Obligation hereunder or otherwise of any Obligor to the holder whether direct or indirect, absolute or contingent, due or to become due, now existing or hereafter arising; and "holder" means the payee or any endorsee of this note who is in possession of it, or the bearer thereof if the note is at the time payable to the bearer; and "maker" means the Mary Rose Oakar for Congress Committee.

Interest after maturity will be payable on demand at the ANNUAL PERCENTAGE RATE payable monthly in arrears. Said ANNUAL PERCENTAGE RATE may at any time be increased or decreased at the discretion of holder or in accordance with changes from time to time in the "prime" interest rate at Haymarket Co-operative Bank subject to a maximum of twenty-three (23%) percent allowable under Massachusetts General Laws as may be prescribed from time to time by the Small Loans Regulatory Board. Such increase or decrease shall be affected by an increase or decrease in the amount of interest payable monthly in arrears. Maker acknowledges receipt of a copy of this note.

Consummation of the loan represented by this Note and Security Agreement is conditioned on the holder's receiving from Ameritrust Bank, prior to disbursement of the loan proceeds to the maker, (a) an acknowledgment of the assignment referred to in clause (b) of the second indented paragraph above, and (b) a waiver of any set-off rights by Ameritrust Bank.

Consummation of the loan represented by this Note and Security Agreement is further conditioned on the holder's receiving from the maker, prior to disbursement of the loan proceeds to the maker, campaign finance reports of the Committee for the period July, 1991, through the date of this loan.

ANNUAL PERCENTAGE RATE (The Cost of Credit As a Yearly Rate).....		8.50%
FINANCE CHARGE - 1 year if demand (the dollar amount the credit will cost).....		\$8,500.00
Amount Financed (The amount of credit provided on your behalf).....		\$100,000
The ANNUAL PERCENTAGE RATE may increase during the term of this transaction if the Prime Rate of HAYMARKET CO-OPERATIVE BANK increases.		
The ANNUAL PERCENTAGE RATE does not take into account required deposits (if any).		
Total of Payments (The amount you will have paid after you have made all payments as scheduled).....		\$108,500*
Your Payment Schedule Will Be:		
This Obligation is	NUMBER OF PAYMENTS	AMOUNT OF PAYMENTS WHEN PAYMENTS ARE DUE
Payable On Demand	Twelve (12)	\$100,000.00
In Accordance With		
The Terms Set Forth		
Above		Monthly beginning July 8, 1992
Prepayment -- (if you pay early you will be entitled to a refund of part of the FINANCE CHARGE) See the above contract for additional information about non-payment, default, repayment is full before the schedule date, and prepayment refunds and penalties.		
* -- Means An Estimate		

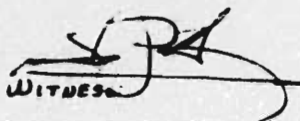
ITEMIZATION OF THE AMOUNT FINANCED IS AS FOLLOWS:

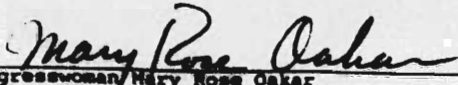
Amount Given to You Directly.....	\$	
Amount Paid to Your Account.....	\$	100,000
AMOUNT PAID TO OTHERS ON YOUR BEHALF		
To (Public Officials) (Credit Bureau) (Appraiser)	\$	
(Insurance Company).....	\$	
To Another Creditor (Name).....	\$	
To Other.....	\$	
Prepaid FINANCE CHARGE.....	\$	

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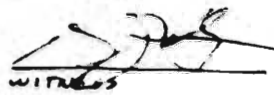
MRD

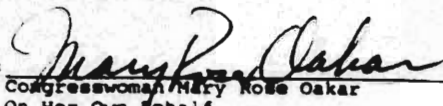
RD


WITNESS

SIGNED: 
Congresswoman Mary Rose Oaker
On Behalf of the Committee

AND, FOR PURPOSES OF GRANTING THE SECURITY INTEREST
SPECIFIED IN CLAUSE (c) OF THE SECOND INDENTED
PARAGRAPH OF THIS INSTRUMENT,


WITNESS

SIGNED: 
Congresswoman Mary Rose Oaker
On Her Own Behalf

4043590865



HOUSE OF REPRESENTATIVES
WASHINGTON D.C. 20515

MARY ROSE OAKAR
89TH DISTRICT, OHIO

June 11, 1991

BY OVERNIGHT MAIL

Mr. Richard J. Kennedy
Executive Vice President
Haymarket Cooperative Bank
280 Atlantic Avenue
Boston, MA 02110

Dear Mr. Kennedy:

Pursuant to the agreement of the Mary Rose Oakar for Congress Committee (the "Committee") and the Haymarket Cooperative Bank ("Haymarket"), the Note and Security Agreement dated June 9, 1991, between the Committee and Haymarket (the "Agreement") is hereby amended as follows:

1. Clause (b) of the second indented paragraph on page 1 of the Agreement shall read:

"(b) in a special account ("Campaign Account") at Ameritrust Company National Association ("Ameritrust Bank"), Detroit-117 Office, 11701 Detroit Avenue, Lakewood, Ohio 44107, designated account number [redacted] into which the maker agrees to deposit all said campaign contributions so long as this note is outstanding, and with respect to which the Bank is hereby granted an assignment to access funds; and"
2. The following language is added after the last indented paragraph on page two of the Agreement:

"The maker agrees that it will use the loan proceeds provided under this note

Fold for by the Order for Campaign Committee



HOUSE OF REPRESENTATIVES
WASHINGTON D.C. 20515

MARY ROSE OAKAR
SETH SWINERT, CHD

Mr. Richard J. Kennedy
June 11, 1992
Page 2

to immediately repay a \$100,000 loan
dated May 23, 1992 from the Society
National Bank of Cleveland to
Congresswoman Mary Rose Oakar, which
loan currently is outstanding."

SIGNED:

Mary Rose Oakar
Congresswoman Mary Rose Oakar
On Behalf of the Committee

ACCEPTED AND AGREED TO:

[Signature]
Richard J. Kennedy
On Behalf of the Frymarket
Cooperative Bank

cc: Peter S. Leyton, Esq.

RECEIVED
F.E.C.
SECRETARIAT

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

94 FEB 24 AM 10:19

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR # 3650
DATE COMPLAINT RECEIVED
BY OGC 10/13/92
DATE OF NOTIFICATION TO
RESPONDENTS 10/19/92
STAFF MEMBER Phillip L. Wise

COMPLAINANT: Cuyahoga County Republican Organization
and Jeffrey P. Hastings, Executive Director

RESPONDENTS: Mary Rose Oakar

Helen and Phillip Demio

Mary Rose Oakar for Congress Committee and
Patrick J. O'Donnell, as treasurer

RELEVANT STATUTES:

2	U.S.C. § 441a(a)(1)A
2	U.S.C. § 441a(f)
2	U.S.C. § 431(8)(A)
11	C.F.R. § 100.7(a)(1)
11	C.F.R. § 100.7(a)(1)(i)(A)
11	C.F.R. § 100.7(a)(1)(i)(B)
11	C.F.R. § 103.3(b)(3)
11	C.F.R. § 103.3(b)(4)
11	C.F.R. § 104.11.
11	C.F.R. § 110.1(b)(1)
11	C.F.R. § 110.10(b)3

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a complaint filed on
October 13, 1992, by Jeffrey P. Hastings, Executive Director for
the Cuyahoga County Republican Organization, against Mary Rose
Oakar for Congress Committee and Patrick J. O'Donnell, as
treasurer ("Oakar Committee"), Helen Demio and Phillip Demio.
See Attachment 1. On December 7, 1992, Mr. Richard D. Shore

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filed a response on behalf of the Oakar Committee and Helen and Phillip Demio. See Attachment 2.

II. FACTUAL AND LEGAL ANALYSIS

A. COMPLAINT AND RESPONSE

The Complainant in this matter alleges that the Oakar Committee received excessive contributions from the candidate's sister and brother-in-law. Mr. Hastings states that reports filed by Mary Rose Oakar indicate that on May 23, 1992, she received a \$100,000 loan from the Society National Bank of Cleveland, Ohio ("Society"). Mr. Hastings states further that this loan was reported as "being endorsed or guaranteed by Mary Rose Oakar, Helen Demio and Phillip Demio."

Mr. Hastings also enclosed along with his complaint, a July 26, 1992 newspaper article, from The Plain Dealer which reported, inter alia: "In securing the original loan from Society last May, Oakar pledged a certificate of deposit valued at \$100,000 and was backed up by two co-signers, her sister, Helen M. DeMio [sic], and brother-in-law, Phillip C. DeMio [sic], both of whom also put up CDs, according to FEC reports." Mr. Hastings asserts that the Demios, as co-signers, would each be liable for one-third of the \$100,000 loan to Congresswoman Oakar, and thus would have each made a contribution in the amount of \$33,333.33 to the Oakar Committee. Mr. Hastings asserts further that Helen and Phillip Demio each exceeded the contribution limit by \$32,333.33.

Richard D. Shore, as counsel, responded to Mr. Hastings' complaint against the Oakar Committee and Helen and

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Phillip Demio. The Respondents do not refute the fact that on May 23, 1992, Congresswoman Mary Rose Oakar obtained a sixty-day loan from Society in the amount of \$100,000, and contributed such loan to her 1992 campaign for re-election for congress. According to Respondents' counsel, "[u]nder the terms of the loan, Congresswoman Oakar, the sole 'Borrower,' was personally liable to repay the full face amount of the loan, plus interest at the rate of two percent (2%) over the prime rate." A copy of the note was enclosed along with the Respondents response. See Attachment 2, pg. 8. Respondents' counsel states that in order "to meet Society's collateral requirements, [Congresswoman Oakar's] sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000." Respondents' counsel states further that "[t]he collateral was never called upon to pay either principal or interest on the loan."

Respondents' counsel alleges that sometime after reviewing the circumstances surrounding the loan, counsel for the Oakar Committee "determined that the use of the Demios' certificates of deposit as collateral might be viewed as giving rise to an excessive contribution to the Committee." Respondents' counsel states that the Oakar Committee "took immediate steps to obtain another loan" from Haymarket Co-operative Bank of Boston, Massachusetts ("Haymarket"), secured by collateral that did not pose the risk of an excessive contribution," to replace the loan from Society. Respondents' counsel states further that the Oakar Committee received the replacement loan of \$100,000 from

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Haymarket on June 9, 1992, and repaid the Society loan in full three days later. According to the Respondents' counsel, the Haymarket loan had a term of one year, with an interest rate of two percent (2%) over the prime rate, and was secured by "(1) all contributions received by the Committee; (2) the Committee's campaign depository account; and (3) Congresswoman Oakar's salary from the U.S. House of Representatives."

In conclusion, the Respondents' counsel asserts that the Oakar Committee, on its own initiative, "fully disclosed the relevant facts concerning the loan" in its reports with the Commission before the filing of the complaint in this matter. Furthermore, Respondents' counsel asserts that the Oakar Committee replaced the loan from Society within the sixty-day period as required by 11 C.F.R. § 103.3(b)(3). Thus, Respondents' counsel requests that the Commission find no reason to believe that any violation has taken place in this matter.

B. STATEMENT OF LAW

The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that a person may make up to \$1,000 in contributions per election to a federal candidate or his or her authorized committee. 2 U.S.C. § 441a(a)(1)(A). No candidate or political committee shall knowingly accept any contribution in excess of limits. 2 U.S.C. § 441a(f). The Act defines "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any federal election. 2 U.S.C. § 431(8)(A)(i). Commission regulations provide that the terms

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"loan" includes a guarantee, endorsement, and any other form of security. A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregated amount loaned to a candidate or committee by a contributor when added to other contributions from that individual to that candidate or committee may not exceed the contribution limitations set out by the Act. 11 C.F.R. § 100.7(a)(1)(i)(B).

A loan made to a federal campaign committee by a state bank, a federally chartered depository institution, or a federally insured depository institution is not considered a contribution by that institution, except that such loan:

- (1) is considered a loan by each endorser or guarantor, in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors;
 - (2) shall be made on a basis which assures repayment, evidence by a written instrument, and subject to a due date or amortization schedule; and
 - (3) shall bear the usual and customary interest rate of the lending institution.
- 2 U.S.C. § 431(8)(B)(vii).

An authorized committee must disclose to the Commission the total amount of all loans to the committee including loans made by or guaranteed by the candidate. 2 U.S.C. § 434(b)(2). Pursuant to 2 U.S.C. § 434(b)(3)(E), a committee must identify each person who makes a loan to the committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and date and amount or value of such loan. Moreover, a political committee must continuously

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report outstanding debts and obligations owed by the committee until the committee extinguishes those debts. 11 C.F.R.

§ 104.11. The Act provides that where any loan is obtained by a candidate in connection with his or her campaign such candidate shall be considered to have obtained the loan as an agent of her authorized committee. 2 U.S.C. § 432(e). Furthermore, pursuant to 11 C.F.R. § 110.10, a candidate for Federal office may make unlimited expenditures from personal funds.

Pursuant to 11 C.F.R. § 103.3(b)(3), a committee is not considered to have knowingly accepted an illegal contribution, if the committee refunds the apparent excessive contribution within 60 days. Any contribution that appears to be illegal under the Act and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds. 11 C.F.R. § 103.3(b)(4).

C. ANALYSIS

The loan at issue in this matter is the sixty-day, \$100,000.00 loan from Society National Bank of Cleveland, Ohio. Despite, the fact that the terms of the loan indicated that Congresswoman Oakar was the "Borrower", the liability for repayment of this loan was shared with Congresswoman Oakar's sister, Helen Demio, and Congresswoman Oakar's brother-in-law, Phillip Demio, who signed this loan agreement as guarantors.

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The proceeds of the loan were contributed by Congresswoman Oakar to her 1992 campaign for re-election to Congress. Counsel for the Respondents acknowledges that Congresswoman Oakar's sister and brother-in-law assigned four certificates of deposit valued at \$100,000.00 to Society in order to assist Congresswoman Oakar in meeting Society's collateral requirement. Because there were three guarantors, under 2 U.S.C. § 431(8)(B)(vii), the assignment by Congresswoman Oakar's sister and brother-in-law would be treated as if each of them had made a loan to the campaign in the amount of \$33,333.33 each.

Respondents' counsel asserts that, pursuant to 11 C.F.R. § 103.3(b)(3), no violations occurred because the loan from Society was replaced within the sixty-day period permitted. However, 11 C.F.R. § 103.3(b)(3) also requires that funds that appear to be illegal shall not be used for disbursements until those funds are determined to be legal. A review of the Oakar Committee's reports shows that the committee had a total of \$20,750.12 cash on hand at the time of the \$100,000 loan from Society. The Oakar Committee reported a total of \$69,425.92 in receipts and \$141,822 in disbursements during the two week period between the May 23, 1992 Society loan and the June 6, 1992 Haymarket loan. Therefore, without the \$100,000 loan from Society, the Oakar Committee would have had only \$90,176.04 (\$20,750.12 coh + \$69,425.92 receipts) available to cover its reported \$141,822 in disbursements during this period. Thus, it appears highly likely that the Oakar Committee used some of the proceeds from the \$100,000 Society loan to make disbursements.

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The evidence on hand indicates that Congresswoman Oakar personally made the arrangements and obtained the \$100,000 loan from Society. Furthermore, as Congresswoman Oakar was not a novice with regard to federal elections it appears that she should have known that the \$100,000 loan she arranged from Society did not contain a sufficient number of guarantors to make the amount of their contributions permissible.

Accordingly, there is reason to believe that Congresswoman Oakar has personally violated 2 U.S.C. § 441a(f).¹ Furthermore, because both Helen and Phillip Demio are each limited to a \$1,000 contribution to Congresswoman Oakar's campaign, the assignment of their certificates of deposit constituted excessive contributions in the amount of \$32,333.33 each in violation of 2 U.S.C. § 441a(a)(1)(A).

1. In the past the Commission has held candidates responsible for FECA violations when there is evidence that the candidate was personally involved in the activity or transaction which produced the violation. This was evident in MUR 2655. Even though the Commission ultimately found no probable cause against the respondents the Commission had found reason to believe that David Edward Landau, who campaigned for the Democratic nomination for Congress in Pennsylvania's 7th District in 1986, personally violated 2 U.S.C. § 441a(f), with regard to a \$10,000.00 loan to the candidate which the candidate had his father, Cyrus Landau, sign as guarantor. See also, MUR 2292 (Andrew Stein, Stein for Congress) Mr. Stein obtained a \$24,000.00 unsecured loan. Mrs. Stein signed the promissory note as a co-maker of the loan. Respondents were not able to bring this unsecured loan within the spousal exemption of 11 C.F.R. § 100.7(a)(i)(D). Thus, the Commission on February 28, 1989, found probable cause to believe Andrew Stein, Stein for Congress and J. Randolph Peyton, as treasurer, violated 2 U.S.C. § 441a(f). It should be noted that the Commission also found probable cause to believe that both Stein and his committee violated 2 U.S.C. § 434(b).

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Based upon the foregoing, the Office of the General Counsel recommends that the Commission find reason to believe that Congresswoman Mary Rose Oakar, the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer violated 2 U.S.C. § 441a(f). In addition, this Office recommends that the Commission find reason to believe that Helen Demio and Phillip Demio violated 2 U.S.C. § 441a(a)(1)(A).

III. DISCUSSION OF CONCILIATION

This Office recommends that the Commission offer to enter into conciliation with the Respondents in this matter prior to a finding of probable cause to believe. Attached for the Commission's approval are proposed conciliation agreements.

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IV. RECOMMENDATIONS

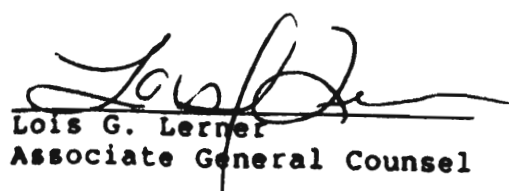
1. Find reason to believe that Mary Rose Oakar violated 2 U.S.C. § 441a(f).
2. Find reason to believe that the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer violated 2 U.S.C. § 441a(f).
3. Find reason to believe that Helen Demio and Phillip Demio violated 2 U.S.C. § 441a(a)(1)(A).
4. Enter into conciliation with Mary Rose Oakar, Helen Demio and Phillip Demio, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer prior to a finding of probable cause to believe.
5. Approve the attached proposed conciliation agreements, Factual and Legal Analyses and the appropriate letters.

Lawrence M. Noble
General Counsel

Date

2/28/94

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Complaint
2. Respondents' response
3. Conciliation Agreement (Ms. Oakar)
4. Conciliation Agreement (Committee)
5. Conciliation Agreement (Demios)
6. Factual and Legal Analyses (Ms. Oakar)
7. Factual and Legal Analyses (Committee)
8. Factual and Legal Analyses (Demios)

140435903/8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Mary Rose Oakar;
Helen and Phillip Demio;
Mary Rose Oakar for Congress
Committee and Patrick J.
O'Donnell, as treasurer.

)
)
) MUR 3650
)
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 1, 1994, the Commission decided by a vote of 4-0 to take the following actions in MUR 3650:

1. Find reason to believe that Mary Rose Oakar violated 2 U.S.C. § 441a(f).
2. Find reason to believe that the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer, violated 2 U.S.C. § 441a(f).
3. Find reason to believe that Helen Demio and Phillip Demio violated 2 U.S.C. § 441a(a)(1)(A).

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4. Enter into conciliation with Mary Rose Oakar, Helen Demio and Phillip Demio, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer, prior to a finding of probable cause to believe.
5. Approve the proposed conciliation agreements, Factual and Legal Analyses and the appropriate letters, as recommended in the General Counsel's Report dated February 23, 1994.

Commissioners Aikens, Elliott, Potter, and Thomas voted affirmatively for the decision; Commissioners McDonald and McGarry did not cast votes.

Attest:

3-1-94
Date

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

Received in the Secretariat: Thurs., Feb. 24, 1994 10:19 a.m.
Circulated to the Commission: Thurs., Feb. 24, 1994 4:00 p.m.
Deadline for vote: Tues., Mar. 01, 1994 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 4, 1994

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3650
Mary Rose Oakar; Helen and
Phillip Demio; and Mary Rose
Oakar for Congress Committee
and Patrick J. O'Donnell, as
treasurer

Dear Mr. Shore:

On October 19, 1992, the Federal Election Commission notified your clients, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on March 1, 1994, found that there is reason to believe Mary Rose Oakar violated 2 U.S.C. § 441a(f); Helen and Phillip Demio violated 2 U.S.C. § 441a(a)(1)(A); and Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer, violated 2 U.S.C. § 441a(f), provisions of the Act. The Factual and Legal Analyses, which formed a basis for the Commission's finding, are attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. Please be advised that in determining the amount of the civil penalty the Commission considered, as mitigating, certain facts presented in your response dated December 7, 1992. Among the circumstances contributing to the Commission's

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Richard D. Shore, Esquire
Page 2

decision regarding the amount of the civil penalty was the fact that approximately 20 days from receiving the loan, that violated the federal election laws, the committee completed corrective measures to comply with the Act. The Commission also recognized such additional factors as the fact that the corrective actions were taken prior to the filing of the complaint; and the short time span in which the candidate was able to acquire a new loan, which was not in violation of the Act. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 219-3690.

For the Commission,


Trevor Potter
Chairman

Enclosures
Factual & Legal Analysis
Conciliation Agreements (3)

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Mary Rose Oakar

MUR: 3650

I. GENERATION OF MATTER

This matter was generated by a complaint filed on October 13, 1992, by Jeffrey P. Hastings, Executive Director for the Cuyahoga County Republican Organization, against Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer ("Oakar Committee"), Helen Demio and Phillip Demio. On December 7, 1992, Mr. Richard D. Shore filed a response on behalf of the Oakar Committee and Helen and Phillip Demio.

II. FACTUAL AND LEGAL ANALYSIS

A. COMPLAINT AND RESPONSE

The Complainant in this matter alleges that the Oakar Committee received excessive contributions from the candidate's sister and brother-in-law. Mr. Hastings states that reports filed by Mary Rose Oakar indicate that on May 23, 1992, she received a \$100,000 loan from the Society National Bank of Cleveland, Ohio ("Society"). Mr. Hastings states further that this loan was reported as "being endorsed or guaranteed by Mary Rose Oakar, Helen Demio and Phillip Demio."

Mr. Hastings also enclosed along with his complaint, a July 26, 1992 newspaper article, from The Plain Dealer which reported, inter alia: "In securing the original loan from Society last May, Oakar pledged a certificate of deposit valued at \$100,000 and was backed up by two co-signers, her sister, Helen M. DeMio [sic], and brother-in-law, Phillip C.

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DeMio [sic], both of whom also put up CDs, according to FEC reports." Mr. Hastings asserts that the Demios, as co-signers, would each be liable for one-third of the \$100,000 loan to Congresswoman Oakar, and thus would have each made a contribution in the amount of \$33,333.33 to the Oakar Committee. Mr. Hastings asserts further that Helen and Phillip Demio each exceeded the contribution limit by \$32,333.33.

Richard D. Shore, as counsel, responded to Mr. Hastings' complaint against the Oakar Committee and Helen and Phillip Demio. The Respondents do not refute the fact that on May 23, 1992, Congresswoman Mary Rose Oakar obtained a sixty-day loan from Society in the amount of \$100,000, and contributed such loan to her 1992 campaign for re-election for congress. According to Respondents' counsel, "[u]nder the terms of the loan, Congresswoman Oakar, the sole 'Borrower,' was personally liable to repay the full face amount of the loan, plus interest at the rate of two percent (2%) over the prime rate." A copy of the note was enclosed along with the Respondents response. Respondents' counsel states that in order "to meet Society's collateral requirements, [Congresswoman Oakar's] sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000." Respondents' counsel states further that "[t]he collateral was never called upon to pay either principal or interest on the loan."

Respondents' counsel alleges that sometime after reviewing the circumstances surrounding the loan, counsel for the Oakar

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Committee "determined that the use of the Demios' certificates of deposit as collateral might be viewed as giving rise to an excessive contribution to the Committee." Respondents' counsel states that the Oakar Committee "took immediate steps to obtain another loan" from Haymarket Co-operative Bank of Boston, Massachusetts ("Haymarket"), secured by collateral that did not pose the risk of an excessive contribution," to replace the loan from Society. Respondents' counsel states further that the Oakar Committee received the replacement loan of \$100,000 from Haymarket on June 9, 1992, and repaid the Society loan in full three days later. According to the Respondents' counsel, the Haymarket loan had a term of one year, with an interest rate of two percent (2%) over the prime rate, and was secured by "(1) all contributions received by the Committee; (2) the Committee's campaign depository account; and (3) Congresswoman Oakar's salary from the U.S. House of Representatives."

In conclusion, the Respondents' counsel asserts that the Oakar Committee, on its own initiative, "fully disclosed the relevant facts concerning the loan" in its reports with the Commission before the filing of the complaint in this matter. Furthermore, Respondents' counsel asserts that the Oakar Committee replaced the loan from Society within the sixty-day period as required by 11 C.F.R. § 103.3(b)(3). Thus, Respondents' counsel requests that the Commission find no reason to believe that any violation has taken place in this matter.

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B. STATEMENT OF LAW

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The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that a person may make up to \$1,000 in contributions per election to a federal candidate or his or her authorized committee. 2 U.S.C. § 441a(a)(1)(A). No candidate or political committee shall knowingly accept any contribution in excess of limits. 2 U.S.C. § 441a(f). The Act defines "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any federal election. 2 U.S.C. § 431(8)(A)(i). Commission regulations provide that the terms "loan" includes a guarantee, endorsement, and any other form of security. A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregated amount loaned to a candidate or committee by a contributor when added to other contributions from that individual to that candidate or committee may not exceed the contribution limitations set out by the Act. 11 C.F.R. § 100.7(a)(1)(i)(B).

A loan made to a federal campaign committee by a state bank, a federally chartered depository institution, or a federally insured depository institution is not considered a contribution by that institution, except that such loan:

- (1) is considered a loan by each endorser or guarantor, in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors;

(2) shall be made on a basis which assures repayment, evidence by a written instrument, and subject to a due date or amortization schedule; and

(3) shall bear the usual and customary interest rate of the lending institution.
2 U.S.C. § 431(8)(B)(vii).

An authorized committee must disclose to the Commission the total amount of all loans to the committee including loans made by or guaranteed by the candidate. 2 U.S.C. § 434(b)(2).

Pursuant to 2 U.S.C. § 434(b)(3)(E), a committee must identify each person who makes a loan to the committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and date and amount or value of such loan. Moreover, a political committee must continuously report outstanding debts and obligations owed by the committee until the committee extinguishes those debts. 11 C.F.R.

§ 104.11. The Act provides that where any loan is obtained by a candidate in connection with his or her campaign such candidate shall be considered to have obtained the loan as an agent of her authorized committee. 2 U.S.C. § 432(e). Furthermore, pursuant to 11 C.F.R. § 110.10, a candidate for Federal office may make unlimited expenditures from personal funds.

Pursuant to 11 C.F.R. § 103.3(b)(3), a committee is not considered to have knowingly accepted an illegal contribution, if the committee refunds the apparent excessive contribution within 60 days. Any contribution that appears to be illegal

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under the Act and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds. 11 C.F.R. § 103.3(b)(4).

C. ANALYSIS

Counsel for the Respondents does not deny that Congresswoman Oakar's sister and brother-in-law assigned four certificates of deposit valued at \$100,000.00 to Society in order to assist Congresswoman Oakar in meeting Society's collateral requirement. Because there were three guarantors, under 2 U.S.C. § 431(8)(B)(vii), the assignment by Congresswoman Oakar's sister and brother-in-law would be treated as if each of them had made a loan to the campaign in the amount of \$33,333.33 each.

Respondents' counsel asserts that, pursuant to 11 C.F.R. § 103.3(b)(3), no violations occurred because the loan from Society was replaced within the sixty-day period permitted. However, 11 C.F.R. § 103.3(b)(3) also requires that funds that appear to be illegal shall not be used for disbursements until those funds are determined to be legal. A review of the Oakar Committee's reports shows that it used funds from the \$100,000 Society loan to make disbursements.

In addition, the evidence on hand indicates that Congresswoman Oakar personally made the arrangements and

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obtained the \$100,000 loan from Society.

Therefore, there is reason to believe Mary Rose Oakar
violated 2 U.S.C. § 441a(f).

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Mary Rose Oakar for Congress MUR: 3650
Committee and Patrick J. O'Donnell,
as treasurer

I. GENERATION OF MATTER

This matter was generated by a complaint filed on October 13, 1992, by Jeffrey P. Hastings, Executive Director for the Cuyahoga County Republican Organization, against Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer ("Oakar Committee"), Helen Demio and Phillip Demio. On December 7, 1992, Mr. Richard D. Shore filed a response on behalf of the Oakar Committee and Helen and Phillip Demio.

II. FACTUAL AND LEGAL ANALYSIS

A. COMPLAINT AND RESPONSE

The Complainant in this matter alleges that the Oakar Committee received excessive contributions from the candidate's sister and brother-in-law. Mr. Hastings states that reports filed by Mary Rose Oakar indicate that on May 23, 1992, she received a \$100,000 loan from the Society National Bank of Cleveland, Ohio ("Society"). Mr. Hastings states further that this loan was reported as "being endorsed or guaranteed by Mary Rose Oakar, Helen Demio and Phillip Demio."

Mr. Hastings also enclosed along with his complaint, a July 26, 1992 newspaper article, from The Plain Dealer which reported, inter alia: "In securing the original loan from Society last May, Oakar pledged a certificate of deposit valued at \$100,000 and was backed up by two co-signers, her sister,

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Helen M. DeMio [sic], and brother-in-law, Phillip C. DeMio [sic], both of whom also put up CDs, according to FEC reports." Mr. Hastings asserts that the Demios, as co-signers, would each be liable for one-third of the \$100,000 loan to Congresswoman Oakar, and thus would have each made a contribution in the amount of \$33,333.33 to the Oakar Committee. Mr. Hastings asserts further that Helen and Phillip Demio each exceeded the contribution limit by \$32,333.33.

Richard D. Shore, as counsel, responded to Mr. Hastings' complaint against the Oakar Committee and Helen and Phillip Demio. The Respondents do not refute the fact that on May 23, 1992, Congresswoman Mary Rose Oakar obtained a sixty-day loan from Society in the amount of \$100,000, and contributed such loan to her 1992 campaign for re-election for congress. According to Respondents' counsel, "[u]nder the terms of the loan, Congresswoman Oakar, the sole 'Borrower,' was personally liable to repay the full face amount of the loan, plus interest at the rate of two percent (2%) over the prime rate." A copy of the note was enclosed along with the Respondents response. Respondents' counsel states that in order "to meet Society's collateral requirements, [Congresswoman Oakar's] sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000." Respondents' counsel states further that "[t]he collateral was never called upon to pay either principal or interest on the loan."

Respondents' counsel alleges that sometime after reviewing

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the circumstances surrounding the loan, counsel for the Oakar Committee "determined that the use of the Demios' certificates of deposit as collateral might be viewed as giving rise to an excessive contribution to the Committee." Respondents' counsel states that the Oakar Committee "took immediate steps to obtain another loan" from Haymarket Co-operative Bank of Boston, Massachusetts ("Haymarket"), secured by collateral that did not pose the risk of an excessive contribution," to replace the loan from Society. Respondents' counsel states further that the Oakar Committee received the replacement loan of \$100,000 from Haymarket on June 9, 1992, and repaid the Society loan in full three days later. According to the Respondents' counsel, the Haymarket loan had a term of one year, with an interest rate of two percent (2%) over the prime rate, and was secured by "(1) all contributions received by the Committee; (2) the Committee's campaign depository account; and (3) Congresswoman Oakar's salary from the U.S. House of Representatives."

In conclusion, the Respondents' counsel asserts that the Oakar Committee, on its own initiative, "fully disclosed the relevant facts concerning the loan" in its reports with the Commission before the filing of the complaint in this matter. Furthermore, Respondents' counsel asserts that the Oakar Committee replaced the loan from Society within the sixty-day period as required by 11 C.F.R. § 103.3(b)(3). Thus, Respondents' counsel requests that the Commission find no reason to believe that any violation has taken place in this matter.

B. STATEMENT OF LAW

The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that a person may make up to \$1,000 in contributions per election to a federal candidate or his or her authorized committee. 2 U.S.C. § 441a(a)(1)(A). No candidate or political committee shall knowingly accept any contribution in excess of limits. 2 U.S.C. § 441a(f). The Act defines "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any federal election. 2 U.S.C. § 431(8)(A)(i). Commission regulations provide that the term "loan" includes a guarantee, endorsement, and any other form of security. A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregated amount loaned to a candidate or committee by a contributor when added to other contributions from that individual to that candidate or committee may not exceed the contribution limitations set out by the Act. 11 C.F.R. § 100.7(a)(1)(i)(B).

A loan made to a federal campaign committee by a state bank, a federally chartered depository institution, or a federally insured depository institution is not considered a contribution by that institution, except that such loan:

- (1) is considered a loan by each endorser or guarantor, in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors;

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(2) shall be made on a basis which assures repayment, evidence by a written instrument, and subject to a due date or amortization schedule; and

(3) shall bear the usual and customary interest rate of the lending institution.
2 U.S.C. § 431(8)(B)(vii).

An authorized committee must disclose to the Commission the total amount of all loans to the committee including loans made by or guaranteed by the candidate. 2 U.S.C. § 434(b)(2).

Pursuant to 2 U.S.C. § 434(b)(3)(E), a committee must identify each person who makes a loan to the committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and date and amount or value of such loan. Moreover, a political committee must continuously report outstanding debts and obligations owed by the committee until the committee extinguishes those debts. 11 C.F.R.

§ 104.11. The Act provides that where any loan is obtained by a candidate in connection with his or her campaign such candidate shall be considered to have obtained the loan as an agent of her authorized committee. 2 U.S.C. § 432(e). Furthermore, pursuant to 11 C.F.R. § 110.10, a candidate for Federal office may make unlimited expenditures from personal funds.

Pursuant to 11 C.F.R. § 103.3(b)(3), a committee is not considered to have knowingly accepted an illegal contribution, if the committee refunds the apparent excessive contribution within 60 days. Any contribution that appears to be illegal under the Act and which is deposited into a campaign depository shall not be used for any disbursements by the political

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committee until the contribution has been determined to be legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds. 11 C.F.R. § 103.3(b)(4).

C. ANALYSIS

Counsel for the Respondents does not deny that Congresswoman Oakar's sister and brother-in-law assigned four certificates of deposit valued at \$100,000.00 to Society in order to assist Congresswoman Oakar in meeting Society's collateral requirement. Because there were three guarantors, under 2 U.S.C. § 431(8)(B)(vii), the assignment by Congresswoman Oakar's sister and brother-in-law would be treated as if each of them had made a loan to the campaign in the amount of \$33,333.33 each.

Respondents' counsel asserts that, pursuant to 11 C.F.R. § 103.3(b)(3), no violations occurred because the loan from Society was replaced within the sixty-day period permitted. However, 11 C.F.R. § 103.3(b)(3) also requires that funds that appear to be illegal shall not be used for disbursements until those funds are determined to be legal. A review of the Oakar Committee's reports shows that it used funds from the \$100,000 Society loan to make disbursements.

Even though the \$100,000 loan was repaid to Society, the Oakar Committee reports clearly indicate that it violated 2 U.S.C. § 441a(f) by accepting the \$100,000 loan and using it

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to make disbursements.¹

Therefore, there is reason to believe the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer violated 2 U.S.C. § 441a(f).

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1. Since the Oakar Committee did not have sufficient funds to cover its disbursements during this period in question, without using the excessive contribution, then 11 C.F.R. § 103.3(b) does not provide a way out of the violation.

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Helen Demio and Phillip Demio

MUR: 3650

I. GENERATION OF MATTER

This matter was generated by a complaint filed on October 13, 1992, by Jeffrey P. Hastings, Executive Director for the Cuyahoga County Republican Organization, against Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer ("Oakar Committee"), Helen Demio and Phillip Demio. On December 7, 1992, Mr. Richard D. Shore filed a response on behalf of the Oakar Committee and Helen and Phillip Demio.

II. FACTUAL AND LEGAL ANALYSIS

A. COMPLAINT AND RESPONSE

The Complainant in this matter alleges that the Oakar Committee received excessive contributions from the candidate's sister and brother-in-law. Mr. Hastings states that reports filed by Mary Rose Oakar indicate that on May 23, 1992, she received a \$100,000 loan from the Society National Bank of Cleveland, Ohio ("Society"). Mr. Hastings states further that this loan was reported as "being endorsed or guaranteed by Mary Rose Oakar, Helen Demio and Phillip Demio."

Mr. Hastings also enclosed along with his complaint, a July 26, 1992 newspaper article, from The Plain Dealer which reported, inter alia: "In securing the original loan from Society last May, Oakar pledged a certificate of deposit valued at \$100,000 and was backed up by two co-signers, her sister, Helen M. DeMio [sic], and brother-in-law, Phillip C. DeMio

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[sic], both of whom also put up CDs, according to FEC reports." Mr. Hastings asserts that the Demios, as co-signers, would each be liable for one-third of the \$100,000 loan to Congresswoman Oakar, and thus would have each made a contribution in the amount of \$33,333.33 to the Oakar Committee. Mr. Hastings asserts further that Helen and Phillip Demio each exceeded the contribution limit by \$32,333.33.

Richard D. Shore, as counsel, responded to Mr. Hastings' complaint against the Oakar Committee and Helen and Phillip Demio. The Respondents do not refute the fact that on May 23, 1992, Congresswoman Mary Rose Oakar obtained a sixty-day loan from Society in the amount of \$100,000, and contributed such loan to her 1992 campaign for re-election for congress. According to Respondents' counsel, "[u]nder the terms of the loan, Congresswoman Oakar, the sole 'Borrower,' was personally liable to repay the full face amount of the loan, plus interest at the rate of two percent (2%) over the prime rate." A copy of the note was enclosed along with the Respondents response. Respondents' counsel states that in order "to meet Society's collateral requirements, [Congresswoman Oakar's] sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000." Respondents' counsel states further that "[t]he collateral was never called upon to pay either principal or interest on the loan."

Respondents' counsel alleges that sometime after reviewing the circumstances surrounding the loan, counsel for the Oakar

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Committee "determined that the use of the Demios' certificates of deposit as collateral might be viewed as giving rise to an excessive contribution to the Committee." Respondents' counsel states that the Oakar Committee "took immediate steps to obtain another loan" from Haymarket Co-operative Bank of Boston, Massachusetts ("Haymarket"), secured by collateral that did not pose the risk of an excessive contribution," to replace the loan from Society. Respondents' counsel states further that the Oakar Committee received the replacement loan of \$100,000 from Haymarket on June 9, 1992, and repaid the Society loan in full three days later. According to the Respondents' counsel, the Haymarket loan had a term of one year, with an interest rate of two percent (2%) over the prime rate, and was secured by "(1) all contributions received by the Committee; (2) the Committee's campaign depository account; and (3) Congresswoman Oakar's salary from the U.S. House of Representatives."

In conclusion, the Respondents' counsel asserts that the Oakar Committee, on its own initiative, "fully disclosed the relevant facts concerning the loan" in its reports with the Commission before the filing of the complaint in this matter. Furthermore, Respondents' counsel asserts that the Oakar Committee replaced the loan from Society within the sixty-day period as required by 11 C.F.R. § 103.3(b)(3). Thus, Respondents' counsel requests that the Commission find no reason to believe that any violation has taken place in this matter.

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B. STATEMENT OF LAW

The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that a person may make up to \$1,000 in contributions per election to a federal candidate or his or her authorized committee. 2 U.S.C. § 441a(a)(1)(A). No candidate or political committee shall knowingly accept any contribution in excess of limits. 2 U.S.C. § 441a(f). The Act defines "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any federal election. 2 U.S.C. § 431(8)(A)(i). Commission regulations provide that the term "loan" includes a guarantee, endorsement, and any other form of security. A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregated amount loaned to a candidate or committee by a contributor when added to other contributions from that individual to that candidate or committee may not exceed the contribution limitations set out by the Act. 11 C.F.R. § 100.7(a)(1)(i)(B).

A loan made to a federal campaign committee by a state bank, a federally chartered depository institution, or a federally insured depository institution is not considered a contribution by that institution, except that such loan:

(1) is considered a loan by each endorser or guarantor, in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors;

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(2) shall be made on a basis which assures repayment, evidence by a written instrument, and subject to a due date or amortization schedule; and

(3) shall bear the usual and customary interest rate of the lending institution.
2 U.S.C. § 431(8)(B)(vii).

An authorized committee must disclose to the Commission the total amount of all loans to the committee including loans made by or guaranteed by the candidate. 2 U.S.C. § 434(b)(2).

Pursuant to 2 U.S.C. § 434(b)(3)(E), a committee must identify each person who makes a loan to the committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and date and amount or value of such loan. Moreover, a political committee must continuously report outstanding debts and obligations owed by the committee until the committee extinguishes those debts. 11 C.F.R.

§ 104.11. The Act provides that where any loan is obtained by a candidate in connection with his or her campaign such candidate shall be considered to have obtained the loan as an agent of her authorized committee. 2 U.S.C. § 432(e). Furthermore, pursuant to 11 C.F.R. § 110.10, a candidate for Federal office may make unlimited expenditures from personal funds.

Pursuant to 11 C.F.R. § 103.3(b)(3), a committee is not considered to have knowingly accepted an illegal contribution, if the committee refunds the apparent excessive contribution within 60 days. Any contribution that appears to be illegal under the Act and which is deposited into a campaign depository shall not be used for any disbursements by the political

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committee until the contribution has been determined to be legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds. 11 C.F.R. § 103.3(b)(4).

C. ANALYSIS

Counsel for the Respondents does not deny that Congresswoman Oakar's sister and brother-in-law assigned four certificates of deposit valued at \$100,000.00 to Society in order to assist Congresswoman Oakar in meeting Society's collateral requirement. Because there were three guarantors, under 2 U.S.C. § 431(8)(B)(vii), the assignment by Congresswoman Oakar's sister and brother-in-law would be treated as if each of them had made a loan to the campaign in the amount of \$33,333.33 each.

Respondents' counsel asserts that, pursuant to 11 C.F.R. § 103.3(b)(3), no violations occurred because the loan from Society was replaced within the sixty-day period permitted. However, 11 C.F.R. § 103.3(b)(3) also requires that funds that appear to be illegal shall not be used for disbursements until those funds are determined to be legal. A review of the Oakar Committee's reports shows that it used funds from the \$100,000 Society loan to make disbursements.

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Because both Helen and Phillip Demio would have each been limited to a \$1,000 contribution to Congresswoman Oakar's campaign, the assignment of their certificates of deposit would have constituted excessive contributions in the amount of \$32,333.33.

Therefore, there is reason to believe Helen and Phillip Demio violated 2 U.S.C. § 441a(a)(1)(A).

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COVINGTON & BURLING
1201 PENNSYLVANIA AVENUE, N.W.
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TELEX: 66-663 (COVLING WSH)
CABLE: COVLING

RICHARD D. SHORE
DIRECT DIAL NUMBER
(202) 662-6432

FEDERAL RECEIVED
94 MAR 18 AM 10:23
FEDERAL ELECTION COMMISSION

LEONARDO TRONC
CUNEN STREET
LONDON WIP 876
ENGLAND
TELEPHONE: 071-422-8228
TELEFAX: 071-422-8201
SPRINGFIELD CORRESPONDENT OFFICE
44 AVENUE DES ARTS
BRUSSELS 1040 BELGIUM
TELEPHONE: 32-2-522-8228
TELEFAX: 32-2-522-8201

March 18, 1994

BY FACSIMILE

Phillip L. Wise, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3650

Dear Mr. Wise:

This is to confirm our telephone conversation yesterday afternoon, in which I requested a 20-day extension of time pursue pre-probable cause conciliation of the above-referenced matter under review. As we discussed, we need the additional time to be able to coordinate with our clients, all of whom reside out of town, and one of whom is in ill health. Once I hear back from you regarding the extension, I will contact you to schedule a meeting to discuss an appropriate resolution of this matter.

Sincerely yours,



Richard D. Shore

4043590904



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 18, 1994

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3650
Mary Rose Oakar; Helen and
Phillip Demio; and Mary Rose
Oakar for Congress Committee
and Patrick J. O'Donnell, as
treasurer

Dear Mr. Shore:

This is in response to your letter dated March 18, 1994, which we received on March 18, 1994, requesting an extension of 20 days to respond to the Commissions reason to believe findings and proposed conciliation agreements. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on April 12, 1994.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

A handwritten signature in cursive script, reading "Phillip L. Wise", is written above the typed name.

Phillip L. Wise
Attorney

14043590905

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

P.O. BOX 7888

WASHINGTON, D.C. 20044-7888

(202) 662-8000

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CABLE: COVING

RICHARD D. SHORE

DIRECTOR, GENERAL COUNSEL

(202) 662-8452

March 23, 1994

LEWISFIELD HOUSE
CLARK STREET
LONDON W1V 6SE
ENGLAND

TELEPHONE: 071-422-0000

TELEFAX: 071-422-0001

CANBELL CORRESPONDENT OFFICE

44 AVENUE 200 NY10

BRUNNEN 1000 BELGIUM

TELEPHONE: 32-2-640-0000

TELEFAX: 32-2-640-1000

BY FACSIMILE

Phillip L. Wise, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3650

Dear Mr. Wise:

We are in receipt of your letter of March 18, 1994 (sent by regular mail), granting our clients' request for a twenty-day extension of time to pursue pre-probable cause conciliation in the above-referenced matter under review. The letter states that we have until April 12, 1994, to respond to the Commission's reason to believe findings and proposed conciliation agreements. By our calculation, however, the twenty-day extension, added to the thirty-day period ordinarily provided for conciliation negotiations, extends pre-probable cause conciliation through April 26, 1994 (measured from the date we received the Commission's proposed conciliation agreements, March 7, 1994). Moreover, our understanding is that we need not respond to the Commission's reason-to-believe findings while conciliation is ongoing. If the conciliation negotiations are unsuccessful, we plan to respond to the reason-to-believe findings prior to the Commission's consideration whether there is probable cause to believe that a violation of the Federal Election Campaign Act occurred.

Please contact me immediately if you disagree with the foregoing in any respect.

Sincerely yours,



Richard D. Shore

94 MAR 23 AM 11:37

RECEIVED
FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

March 23, 1994

FACSIMILE TRANSMISSION

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3650
Mary Rose Oakar; Helen and
Phillip Demio; and Mary Rose
Oakar for Congress Committee
and Patrick J. O'Donnell, as
treasurer

Dear Mr. Shore:

This is in response to your letter dated March 23, 1994. As is evident from your letter it is necessary that I clarify what method is used in calculating the extension of time requested by you.

First I must explain that your assumption, that no response to the Commission's reason to believe finding is necessary during preprobable cause conciliation negotiations, is incorrect.

As explained in the Commission's notification letter mailed to you on March 4, 1994, a response to the reason to believe findings was due 15 days from the receipt of the foregoing notification letter. You stated that you received this notification letter on March 7, 1994. Therefore, the normal time to reply would have been on March 22, 1994. The requested 20 day extension of time to reply to the Commission's findings is calculated from that date, March 7, 1994, which would mean that your response is due in this Office by the close of business, on April 12, 1994. If no response to the Commission's reason to believe findings is submitted by that date, this this Office can rely on your response to the complaint filed in this matter.

Please be advised that the whole period given for reaching a successful preprobable cause conciliation agreement is 30 days. If we are unsuccessful during that time span, this Office would expect to move to the next stage, which is probable cause.

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Richard D. Shore, Esquire
Page 2

Accordingly, as stated in my letter dated March 18, 1994, and reiterated above, your response is due by the close of business on April 12, 1994. The goal of this Office is to complete preprobable cause conciliation of this matter, which includes any negotiation meetings with you, by May 12, 1994, or recommend moving to the next stage.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Phillip L. Wise

Phillip L. Wise
Attorney

4043590908

06C 1224

COVINGTON & BURLING
1201 PENNSYLVANIA AVENUE, N.W.
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BRUSSELS CORRESPONDENT OFFICE
44 AVENUE DES ARTS
BRUSSELS 1040 BELGIUM
TELEPHONE 32-2-512-9990
TELEFAX 32-2-502-1998

May 5, 1994

BY MESSENGER

The Honorable Trevor Potter
Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

received
5/5/94

MAY 6 1 04 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Re: MUR 3650 -- Mary Rose Oakar, the Mary Rose
Oakar for Congress Committee and its treasurer
Patrick O'Donnell, and Helen and Phillip Demio,
Respondents

Dear Commissioner Potter:

The purpose of this letter is to request a one month extension, to June 13, 1994, of pre-probable cause conciliation in the above-referenced matter under review. We represent all of the respondents in the MUR and make this request on their behalf.

We are requesting an extension of pre-probable cause conciliation because of delays engendered by the illness and recent hospitalization of Helen Demio, who is suffering from cancer. We are informed that Mrs. Demio returned home from the hospital yesterday evening, and we hope that her condition will permit us to consult with her within the next

4043590909

The Honorable Trevor Potter

May 5, 1994

Page 2

few days regarding a formal response to the Commission's proposed conciliation agreement. We apprised the General Counsel's office of Mrs. Demio's hospitalization as soon as we learned of it but understand that an extension can only be granted by the Commission itself. Because the MUR arises from a single transaction and involves closely related respondents, to enable conciliation to proceed in an orderly fashion, we are requesting this modest extension on behalf of all of the respondents.

Thank you for your attention to this request.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Richard D. Shore", with a long horizontal line extending from the end of the signature.

Richard D. Shore

cc: Phillip Wise, Esq.

109090404

BEFORE THE FEDERAL ELECTION COMMISSION NOV 10 12 54 PM '94

In the Matter of)

Mary Rose Oakar)

Helen and Phillip Demio)

Mary Rose Oakar for Congress Committee)

and Patrick J. O'Donnell, as treasurer)

MUR 3650

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was generated by a complaint filed on October 13, 1992, by Jeffrey P. Hastings, Executive Director for the Cuyahoga County Republican Organization, against Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer ("Oakar Committee"), Helen Demio and Phillip Demio. On December 7, 1992, counsel filed a response on behalf of the Oakar Committee and Helen and Phillip Demio.

The complainant in this matter alleges that the Oakar Committee received excessive contributions from the candidate's sister and brother-in-law. Mr. Hastings states that reports filed by Mary Rose Oakar indicate that on May 23, 1992, she received a \$100,000 loan from the Society National Bank of Cleveland, Ohio ("Society"). Mr. Hastings states further that this loan was reported as "being endorsed or guaranteed by Mary Rose Oakar, Helen Demio and Phillip Demio."

Mr. Hastings also enclosed along with his complaint, a July 26, 1992 newspaper article, from The Plain Dealer which reported, inter alia: "In securing the original loan from Society last May, Oakar pledged a certificate of deposit valued at \$100,000 and was backed up by two co-signers, her sister,

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Helen M. DeMio [sic], and brother-in-law, Phillip C. DeMio [sic], both of whom also put up CDs, according to FEC reports." Mr. Hastings asserts that the Demios, as co-signers, would each be liable for one-third of the \$100,000 loan to Congresswoman Oakar, and thus would have each made a contribution in the amount of \$33,333.33 to the Oakar Committee. Mr. Hastings asserts further that Helen and Phillip Demio each exceeded the contribution limit by \$32,333.33.

Counsel responded to Mr. Hastings' complaint against the Oakar Committee and Helen and Phillip Demio. The Respondents do not refute the fact that on May 23, 1992, Congresswoman Mary Rose Oakar obtained a sixty-day loan from Society in the amount of \$100,000, and contributed such loan to her 1992 campaign for re-election for congress. According to Respondents' counsel, "[u]nder the terms of the loan, Congresswoman Oakar, the sole 'Borrower,' was personally liable to repay the full face amount of the loan, plus interest at the rate of two percent (2%) over the prime rate." A copy of the note was enclosed along with the Respondents response. Respondents' counsel states that in order "to meet Society's collateral requirements, [Congresswoman Oakar's] sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000." Respondents' counsel states further that "[t]he collateral was never called upon to pay either principal or interest on the loan."

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The Federal Election Commission ("the Commission") on March 1, 1994, found reason to believe Mary Rose Oakar violated 2 U.S.C. § 441a(f); Helen and Phillip Demio violated 2 U.S.C. § 441a(a)(1)(A); and Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer, violated 2 U.S.C. § 441a(f). Notification of the Commission's findings and proposed conciliation agreements were mailed to respondents on March 4, 1994.

According to respondents' counsel the Commission's reason to believe notification and proposed conciliation agreements were received on March 7, 1994. On March 18, 1994, counsel requested an extension of 20 days to respond to the Commission's reason to believe notification and proposed conciliation agreements. (Attachment 1). On March 18, 1994, the requested extension for 20 days was granted by this Office, thereby making the response due by the close of business on April 12, 1994. (Attachment 2). On March 23, 1994, this Office received a letter from respondents' counsel indicating that from his calculations the response appeared to be due by the close of business on April 26, 1994. (Attachment 3). On March 23, 1994, this Office explained the method used in calculating the extension of time and reiterated that the response to the reason to believe finding was due by the close of business on April 12, 1994. In addition counsel was informed that the goal of this Office was to complete preprobable cause conciliation of this matter by May 12, 1994. (Attachment 4).

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On May 6, 1994, this Office received counsel's request for an additional extension of one month until June 13, 1994

On May 9, 1994, this Office received further correspondence from counsel expressing the need for additional time to make any offer with

regard to any of the respondents. (Attachment 7). In summary, counsel argues that the health of Mrs. Demio justifies no response on behalf of any of the respondents.

If the conciliation efforts to date had shown some likelihood that they would be successful, this Office might have been more amenable to recommending that the Commission grant the requested extension because of the medical condition of one of the respondents

In this matter there are five separate respondents, only one of whom is Mrs. Demio. Counsel has chosen not to respond on behalf of any of the other respondents which this Office feels he could have done without jeopardizing Mrs. Demio's right to participate with regard to the findings against her. Furthermore, as stated above, moving to the next stage would not jeopardize any rights that Mrs. Demio or any other respondent has to participate in this matter because they would all have the opportunity to respond to the probable cause brief. Accordingly, this Office recommends that the Commission deny respondents request for an extension of time and move to the next stage in the enforcement process.

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II. RECOMMENDATIONS

1. Deny the extension of time requested by Mary Rose Oakar, Helen and Phillip Demio, and Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.
2. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

5/16/94
Date

BY: 
Lois G. Verner
Associate General Counsel

4043590917

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Mary Rose Oakar;
Helen and Phillip Demio;
Mary Rose Oakar for Congress
Committee and Patrick J. O'Donnell,
as treasurer.

)
)
) MUR 3650
)
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 23, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3650:

1. Deny the extension of time requested by Mary Rose Oakar, Helen and Phillip Demio, and Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated May 16, 1994.

Commissioners Aikens, Elliott, McDonald, McGarry, and Potter voted affirmatively for the decision; Commissioner Thomas recused himself from this matter and did not cast a vote.

Attest:

5-23-94
Date

Delores Hardy
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., May 18, 1994 12:54 p.m.
Circulated to the Commission: Wed., May 18, 1994 4:00 p.m.
Deadline for vote: Mon., May 23, 1994 4:00 p.m.

bjr

4043590918



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MAY 25, 1994

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3650
Mary Rose Oakar; Helen and
Phillip Demio; and Mary Rose
Oakar for Congress Committee
and Patrick J. O'Donnell, as
treasurer

Dear Mr. Shore:

This is in response to your letters on behalf of your clients, dated May 5, 1994 and May 6, 1994, requesting an extension until June 13, 1994 to respond to the Commission's proposed conciliation agreement.

After considering all of the circumstances in this matter, the Commission has determined to deny the extension of time requested by Mary Rose Oakar, Helen and Phillip Demio, and Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer. Accordingly, this Office intends to move to the next stage in the enforcement process. Further, please be advised that the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent. Upon receipt of the Commission's probable cause brief you will have the opportunity to respond and submit additional information.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Phillip L. Wise
Phillip L. Wise
Attorney

14043590919

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE, N.W.

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WASHINGTON, D.C. 20044-7500

(202) 662-6000

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CABLE: COVLING

JUL 5 4 17 PM '94

RICHARD D. SHORE

DIRECT DIAL NUMBER

(202) 662-6492

LEONARD HENRY

CHIEF OF STAFF

1000 WY 600

CHIEF OF

TELEPHONE: (202) 662-6000

TELEFAX: (202) 662-6001

BRUNSWICK CORRESPONDENT OFFICE

60 AVENUE 200 APT 6

BRUNSWICK 1040 BRUNSWICK

TELEPHONE: (202) 662-6000

TELEFAX: (202) 662-6001

July 5, 1994

BY FACSIMILE

Phillip L. Wise, Esq.
Office of General Counsel
Federal Election Commission
999 B Street, N.W.
Washington, D.C. 20463

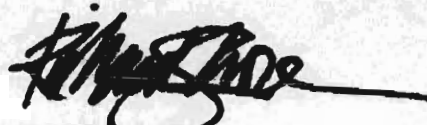
Re: **MUR 3650**

Dear Mr. Wise:

This is to inform you that Helen Demio succumbed to cancer on June 23. You were previously informed of Mrs. Demio's illness in the context of an unsuccessful request to extend conciliation of this matter.

Under the circumstances, we request that the Commission exercise its prosecutorial discretion to dismiss the MUR as to both Mrs. Demio and her husband, Phillip Demio.

Sincerely yours,



Richard D. Shore

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SEP 12 1 01 PM '94

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3650
Mary Rose Oakar)
Helen and Phillip Demio)
Mary Rose Oakar for Congress Committee)
and Patrick J. O'Donnell, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was generated by a complaint filed on October 13, 1992, by Jeffrey P. Hastings, Executive Director for the Cuyahoga County Republican Organization, against Mary Rose Oakar, the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer ("Oakar Committee"), and Helen Demio and Phillip Demio.

The complainant alleges that the Oakar Committee received excessive contributions from the candidate's sister and brother-in-law. Mr. Hastings states that reports filed by Mary Rose Oakar indicate that on May 23, 1992, she received a \$100,000 loan from the Society National Bank of Cleveland, Ohio ("Society"). Mr. Hastings states further that this loan was reported as "being endorsed or guaranteed by Mary Rose Oakar, Helen Demio and Phillip Demio."

The Federal Election Commission ("the Commission") on March 1, 1994, found reason to believe Mary Rose Oakar violated 2 U.S.C. § 441a(f) for obtaining a \$100,000 loan for her campaign by using collateral assigned by her sister and brother-in-law; Helen and Phillip Demio violated 2 U.S.C. § 441a(a)(1)(A) for assigning their certificates of deposit,

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with a face value of \$100,000, as collateral for the candidate to obtain a \$100,000 loan for her campaign; and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer, violated 2 U.S.C. § 441a(f) for accepting a \$100,000 loan obtained by the candidate by using collateral assigned by her sister and brother-in-law, Helen and Phillip Demio. Notification of the Commission's findings and proposed conciliation agreements were mailed to respondents on March 4, 1994.

After several weeks of attempts by this Office to get respondents to submit formal counteroffers, on May 6, 1994, this Office received counsel's request for an additional extension of one month until June 13, 1994

On May 23, 1994, the Commission denied the extension of time requested by Mary Rose Oakar, Helen and Phillip Demio, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer. By letter dated May 25, 1994, respondents' counsel was given notice of the Commission's extension denial. The foregoing letter also informed counsel that this Office intended to move to the next stage in the enforcement process, and that the Commission would not entertain requests for pre-probable cause conciliation after briefs on probable cause had been mailed to the respondents.

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C. Helen and Phillip Demio

Following the death of Mrs. Demio, Mr. Demio requested that we take no further action against either of them. With regard to the Demios it appears that they were not knowledgeable of the contribution requirements of federal elections, and did not understand that guaranteeing a loan constituted a contribution. Indeed, a review of the Commission's contributor indexes reveal no other contributions by Helen and/or Phillip Demio to Oakar or any other candidates. Throughout this matter counsel has argued that Helen Demio suffered from cancer, which

required frequent hospitalization. Accordingly, we were advised that Mrs. Demio's illness had significantly depleted the Demios' financial resources.

In view of these facts, together with Mrs. Demio's recent death this Office recommends that the Commission accept the respondents' counteroffers, take no further action with regard to either of the Demios, and close this matter.

II. RECOMMENDATIONS

1. Accept the attached counteroffers from Mary Rose Oakar, and Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.
2. Take no further action against Helen and Phillip Demio.
3. Close the file
4. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date

9/9/44

BY:


Lois G. Lerner
Associate General Counsel

4043590926

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Mary Rose Oakar;
Helen and Phillip Demio;
Mary Rose Oakar for Congress
Committee and Patrick J. O'Donnell,
as treasurer.

)
)
) MUR 3650
)
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 16, 1994, the Commission decided by a vote of 5-0 to take the following actions in MUR 3650:

1. Accept the counteroffers from Mary Rose Oakar, and Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer, as recommended in the General Counsel's Report dated September 9, 1994.
2. Take no further action against Helen and Phillip Demio.

(continued)

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3. Close the file.
4. Approve the appropriate letters, as recommended in the General Counsel's Report dated September 9, 1994.

Commissioners Aikens, Elliott, McDonald, McGarry, and Potter voted affirmatively for the decision; Commissioner Thomas recused himself from this matter and did not cast a vote.

Attest:

9-16-94
Date

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

Received in the Secretariat: Mon., Sept. 12, 1994 1:01 p.m.
Circulated to the Commission: Tues., Sept. 13, 1994 11:00 a.m.
Deadline for vote: Fri. Sept. 16, 1994 4:00 p.m.

bjr

4043590928

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Enforcement Policy
Letters to Respondents)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on September 27, 1994, do hereby certify that the Commission decided by a vote of 6-0 that effective immediately it shall be the policy of the Office of General Counsel in those unusual circumstances where the Office of General Counsel determines that there is a higher or lower civil penalty that needs explanation, that they insert the following language in the letter to the respondent: "Please be advised that the civil penalty in this agreement reflects unusual factors brought forth during the investigation."

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

Attest:

9-29-94
Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OCTOBER 4, 1994

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeffrey P. Hastings, Executive Director
Cuyahoga County Republican Organization
The Leader Bldg., Suite One
Cleveland, OH 44114-1210

RE: MUR 3650

Dear Mr. Hastings:

This is in reference to the complaint you filed with the Federal Election Commission on October 9, 1992, concerning Mary Rose Oakar, the Mary Rose Oakar for Congress Committee and Patrick O'Donnell, as treasurer, and Helen and Phillip Demio.

On March 1, 1994, the Commission found that there was reason to believe Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick O'Donnell, as treasurer, each violated 2 U.S.C. § 441a(f); and that Helen and Phillip Demio, each violated 2 U.S.C. § 441a(a)(1)(A), provisions of the Federal Election Campaign Act of 1971, as amended, and conducted an investigation in this matter.

On September 16, 1994, the conciliation agreements signed by Mary Rose Oakar, and Patrick O'Donnell, as treasurer of the Oakar Committee were accepted by the Commission. On that same date, the Commission decided to take no further action against Helen and Phillip Demio. Accordingly, the Commission closed the file in this matter on September 16, 1994. Copies of these agreements are enclosed for your information.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Phillip L. Wise

Phillip L. Wise
Attorney

Enclosure
Conciliation Agreements

14043590900



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OCTOBER 4, 1994

Richard D. Shore, Esquire
Covington & Burling
1201 Pennsylvania Avenue, N.W.
P.O. Box 7566
Washington, D.C. 20044

RE: MUR 3650
Mary Rose Oakar; Helen and
Phillip Demio; and Mary Rose
Oakar for Congress Committee
and Patrick J. O'Donnell, as
treasurer

Dear Mr. Shore:

On September 16, 1994, the Federal Election Commission accepted the signed conciliation agreements and the first installments on the civil penalties, submitted on behalf of your clients, Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer, in settlement of violations of 2 U.S.C. § 441a(f). Please be advised that the civil penalties in these agreements reflect unusual factors brought forth during the investigation. On the same date the Commission also decided to take no further action against Helen and Phillip Demio with regard to violation of 2 U.S.C. § 441a(a)(1)(A). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 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 before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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Richard D. Shore, Esquire
Page 2

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreements, however, will become a part of the public record.

Enclosed you will find copies of the fully executed conciliation agreements for your files. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Phillip L. Wise
Phillip L. Wise
Attorney

Enclosure
Conciliation Agreements

4043590932

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3650
Mary Rose Oakar)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Jeffrey P. Hastings, Executive Director for the Cuyahoga County Republican organization. The Federal Election Commission ("Commission") found reason to believe that Mary Rose Oakar ("Respondent") violated 2 U.S.C. § 441a(f).

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to proceedings to determine whether there is probable cause to believe that a violation of the Federal Election Campaign Act has occurred, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this conciliation agreement (the "Agreement") has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Mary Rose Oakar was the Democratic candidate for the United States House of Representatives from the Tenth District of Ohio in the 1992 congressional

4043590933

elections. The Mary Rose Oakar for Congress Committee (the "Oakar Committee"), Congresswoman Oakar's principal campaign committee, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Patrick J. O'Donnell is the treasurer of the Oakar Committee.

3. The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that a person may make up to \$1,000 in contributions per election to a federal candidate or his or her authorized committee. 2 U.S.C. § 441a(a)(1)(A). No candidate or political committee shall knowingly accept any contribution in excess of limits. 2 U.S.C. § 441a(f). The Act defines "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any federal election. 2 U.S.C. § 431(8)(A)(i). Commission regulations provide that the term "loan" includes a guarantee, endorsement, and any other form of security. A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregated amount loaned to a candidate or committee by a contributor when added to other contributions from that individual to that candidate or committee may not exceed the contribution limitations set out by the Act. 11 C.F.R. § 100.7(a)(1)(i)(B).

4. A loan made to a federal campaign committee by a state bank, a federally chartered depository institution, or a federally insured depository institution is not considered a contribution by that institution, except that such loan:

(1) is considered a loan by each endorser or guarantor, in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors;

(2) shall be made on a basis which assures repayment, evidence by a written instrument, and subject to a due date or amortization schedule; and

4043590234

(3) shall bear the usual and customary interest rate of the lending institution. 2 U.S.C. § 431(8)(B)(vii).

5. An authorized committee must disclose to the Commission the total amount of all loans to the committee including loans made by or guaranteed by the candidate. 2 U.S.C. § 434(b)(2). Pursuant to 2 U.S.C. § 434(b)(3)(E), a committee must identify each person who makes a loan to the committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and date and amount or value of such loan. Moreover, a political committee must continuously report outstanding debts and obligations owed by the committee until the committee extinguishes those debts. 11 C.F.R. § 104.11. The Act provides that where any loan is obtained by a candidate in connection with his or her campaign such candidate shall be considered to have obtained the loan as an agent of her authorized committee. 2 U.S.C. § 432(e). Furthermore, pursuant to 11 C.F.R. § 110.10, a candidate for Federal office may make unlimited expenditures from personal funds.

6. Pursuant to 11 C.F.R. § 103.3(b)(3), a committee is not considered to have knowingly accepted an illegal contribution, if the committee refunds the apparently excessive contribution within 60 days. Any contribution that appears to be illegal under the Act and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds. 11 C.F.R. 103.3(b)(4).

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7. On May 23, 1992, Congresswoman Mary Rose Oakar obtained a sixty-day loan from Society National Bank of Cleveland, Ohio ("Society") in the amount of \$100,000, which she subsequently contributed to her 1992 campaign for re-election to Congress. In order to meet Society's collateral requirements, Congresswoman Oakar's sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000. Because there were three guarantors, under 2 U.S.C. § 431(8)(B)(vii), the assignment by Congresswoman Oakar's sister and brother-in-law is treated as if each of them had made a loan to the campaign in the amount of \$33,333.33. The Respondent contends that the certificates were never called upon to repay any part of the loan. Neither Helen nor Phillip Demio otherwise contributed to Congresswoman Oakar's 1992 reelection campaign.

8. Following a review of the circumstances surrounding the loan, the Committee decided to repay the loan, as a result of concerns regarding the collateral. The Committee and its treasurer, and Congresswoman Oakar, promptly took steps to do so. On June 9, 1992, the Oakar Committee received a replacement loan of \$100,000 from Haymarket Cooperative Bank of Boston, Massachusetts ("Haymarket"), and repaid the Society loan in full three days later, less than three weeks after the Society loan had been taken out. The Haymarket loan was secured by "(1) all contributions received by the Committee; (2) the Committee's campaign depository account; and (3) Congresswoman Oakar's salary from the U.S. House of Representatives," in full compliance with FEC requirements. Both the Society loan and the Haymarket loan were disclosed in accordance with FEC requirements in reports timely filed by the Committee with the Commission.

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9. Even though the \$100,000 loan was repaid to Society on June 12, 1992, less than three weeks after it had been received, the Oakar Committee reports clearly indicated that funds from the loan were used to make disbursements.

V. As a result of the use of the certificates of deposit as collateral for the \$100,000 loan from Society, Respondent received excessive contributions totaling \$64,666, in violation of 2 U.S.C. § 441a(f).

VI. Respondent agrees to pay a civil penalty to the Commission in the amount of \$8,000, pursuant to 2 U.S.C. § 437g(a)(5)(A), such penalty to be paid as follows:

1. An initial payment of \$2,000, due the first day of the month following execution of this Agreement by all parties; and, commencing the following month,

2. Eighteen consecutive monthly payments of \$333 for the first 17 months and \$339 for the eighteenth and final month, with each payment due on the first day of the month in question.

3. In the event that any installment payment is not received by the Commission on or before the fifth day of the month in which it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the Respondent. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

VII. This Agreement constitutes a complete and final settlement between the Respondents and the Commission regarding the allegations in the complaint in this MUR

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3650 and the facts as set forth above and is a complete bar to any further action by the Commission regarding the same.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This Agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

X. Respondent shall have no more than 30 days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

XI. This Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written Agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner 10/4/94
Lois G. Lerner Date
Associate General Counsel

FOR THE RESPONDENT:

Mary Rose Oakar
Mary Rose Oakar

Aug 5, 1994
Date

4043590939

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3650
Mary Rose Oakar for Congress)
Committee and Patrick J. O'Donnell,)
as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Jeffrey P. Hastings, Executive Director for the Cuyahoga County Republican organization. The Federal Election Commission ("Commission") found reason to believe that the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer ("Respondents"), violated 2 U.S.C. § 441a(f).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation prior to proceedings to determine whether there is probable cause to believe that a violation of the Federal Election Campaign Act has occurred, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this conciliation agreement (the "Agreement") has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

24043590940

1. Mary Rose Oakar was the Democratic candidate for the United States House of Representatives from the Tenth District of Ohio in the 1992 congressional elections. The Mary Rose Oakar for Congress Committee (the "Oakar Committee"), Congresswoman Oakar's principal campaign committee, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Patrick J. O'Donnell is the treasurer of the Oakar Committee.

3. The Federal Election Campaign Act of 1971, as amended (the "Act"), provides that a person may make up to \$1,000 in contributions per election to a federal candidate or his or her authorized committee. 2 U.S.C. § 441a(a)(1)(A). No candidate or political committee shall knowingly accept any contribution in excess of limits. 2 U.S.C. § 441a(f). The Act defines "contribution" as any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any federal election. 2 U.S.C. § 431(8)(A)(i). Commission regulations provide that the term "loan" includes a guarantee, endorsement, and any other form of security. A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregated amount loaned to a candidate or committee by a contributor when added to other contributions from that individual to that candidate or committee may not exceed the contribution limitations set out by the Act. 11 C.F.R. § 100.7(a)(1)(i)(B).

4. A loan made to a federal campaign committee by a state bank, a federally chartered depository institution, or a federally insured depository institution is not considered a contribution by that institution, except that such loan:

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- (1) is considered a loan by each endorser or guarantor, in that proportion of the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors;
- (2) shall be made on a basis which assures repayment, evidence by a written instrument, and subject to a due date or amortization schedule; and
- (3) shall bear the usual and customary interest rate of the lending institution. 2 U.S.C. § 431(8)(B)(vii).

5. An authorized committee must disclose to the Commission the total amount of all loans to the committee including loans made by or guaranteed by the candidate. 2 U.S.C. § 434(b)(2). Pursuant to 2 U.S.C. § 434(b)(3)(E), a committee must identify each person who makes a loan to the committee during the reporting period, together with the identification of any endorser or guarantor of such loan, and date and amount or value of such loan. Moreover, a political committee must continuously report outstanding debts and obligations owed by the committee until the committee extinguishes those debts. 11 C.F.R. § 104.11. The Act provides that where any loan is obtained by a candidate in connection with his or her campaign such candidate shall be considered to have obtained the loan as an agent of her authorized committee. 2 U.S.C. § 432(e). Furthermore, pursuant to 11 C.F.R. § 110.10, a candidate for Federal office may make unlimited expenditures from personal funds.

6. Pursuant to 11 C.F.R. § 103.3(b)(3), a committee is not considered to have knowingly accepted an illegal contribution, if the committee refunds the apparently excessive contribution within 60 days. Any contribution that appears to be illegal under the Act and which is deposited into a campaign depository shall not be used for any disbursements by the political committee until the contribution has been determined to be

4043590942

legal. The political committee must either establish a separate account in a campaign depository for such contributions or maintain sufficient funds to make all such refunds. 11 C.F.R. 103.3(b)(4).

7. On May 23, 1992, Congresswoman Mary Rose Oakar obtained a sixty-day loan from Society National Bank of Cleveland, Ohio ("Society") in the amount of \$100,000, which she subsequently contributed to her 1992 campaign for re-election to Congress. In order to meet Society's collateral requirements, Congresswoman Oakar's sister and brother-in-law, Helen and Phillip Demio, assigned to Society four certificates of deposit with a total face value of \$100,000. Because there were three guarantors, under 2 U.S.C. § 431(8)(B)(vii), the assignment by Congresswoman Oakar's sister and brother-in-law is treated as if each of them had made a loan to the campaign in the amount of \$33,333.33. The Respondents contend that the certificates were never called upon to repay any part of the loan and that the Oakar Committee's treasurer, Patrick O'Donnell, was unaware of the collateral at the time the loan proceeds were received by the Oakar Committee. Neither Helen nor Phillip Demio otherwise contributed to Congresswoman Oakar's 1992 reelection campaign.

8. Following a review of the circumstances surrounding the loan, the Committee decided to repay the loan, as a result of concerns regarding the collateral. The Committee and its treasurer, and Congresswoman Oakar, promptly took steps to do so. On June 9, 1992, the Oakar Committee received a replacement loan of \$100,000 from Haymarket Cooperative Bank of Boston, Massachusetts ("Haymarket"), and repaid the Society loan in full three days later, less than three weeks after the Society loan had been

4043590944
taken out. The Haymarket loan was secured by "(1) all contributions received by the Committee; (2) the Committee's campaign depository account; and (3) Congresswoman Oakar's salary from the U.S. House of Representatives," in full compliance with FEC requirements. Both the Society loan and the Haymarket loan were disclosed in accordance with FEC requirements in reports timely filed by the Committee with the Commission.

9. Even though the \$100,000 loan was repaid to Society on June 12, 1992, less than three weeks after it had been received, the Oakar Committee reports clearly indicated that funds from the loan were used to make disbursements.

V. As a result of the use of the certificates of deposit as collateral for the \$100,000 loan from Society, Respondents received excessive contributions totaling \$64,666, in violation of 2 U.S.C. § 441a(f).

VI. Respondents agree to pay a civil penalty to the Commission in the amount of \$8,000, pursuant to 2 U.S.C. § 437g(a)(5)(A), such penalty to be paid as follows:

1. An initial payment of \$2,000, due the first day of the month following execution of this Agreement by all parties; and, commencing the following month,

2. Eighteen consecutive monthly payments of \$333 for the first 17 months and \$339 for the eighteenth and final month, with each payment due on the first day of the month in question.

3. In the event that any installment payment is not received by the Commission on or before the fifth day of the month in which it becomes due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire

amount to become due upon ten days written notice to the Respondent. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

VII. This Agreement constitutes a complete and final settlement between the Respondents and the Commission regarding the allegations in the complaint in this MUR 3650 and the facts as set forth above and is a complete bar to any further action by the Commission regarding the same.

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This Agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire Agreement.

X. Respondents shall have no more than 30 days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

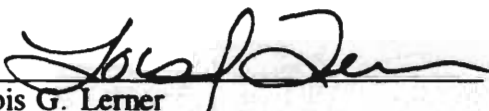
4043590945

XI. This Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written Agreement shall be enforceable.

FOR THE COMMISSION:

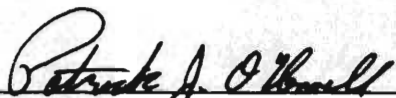
Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

10-4-94
Date

FOR THE RESPONDENT(S):


Patrick J. O'Donnell
Treasurer

8-5-95
Date

4043590946

4043590947

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 468
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-66/410

6617

PAY TO THE ORDER OF:

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

DATE

AMOUNT

07/30/94

\$4000.00

Lillian O'Donnell

MUR 3650

⑈006617⑈ ⑆041000667⑆00125⑈2702⑈



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3650

DATE FILMED 10-25-94 CAMERA NO. 4

CAMERAMAN JM/V

4043590948



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

Date: 12/14/94

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3650

4043601038

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

FEDERAL ELECTION
COMMISSION
MAIL ROOM

DEC 1 11 49 AM '94

November 27, 1994

DEC 6 12 45 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the December payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

As I have received no instructions concerning where to send this payment, I am sending it to your attention. If this is not correct, please advise me where to send future payments. If you wish to contact me by phone, my number is (216)281-4633.

Sincerely



Patrick J. O'Donnell
Treasurer

Ecl.

4 4 3 6 0 1 0 3 9

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

DEC 7 12 51 PM '94

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
8-88/410

6642

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

11/27/94

\$668.00

999 E STREET, NW
Washington, DC 20463

Dec. payment on penalty MUR 3650

Laethia O'Donnell

⑆006642⑆ ⑆041000687⑆00125⑆2702⑆

4043601040



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

DEC 6 12 45 PM '94

12/5/94

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar, check number 1642, dated 11/27/94, and in the amount of \$333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By OA

In reference to the above check in the amount of \$333.00, the MUR number is 3650 and in the name of Mary Rose Oakar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

12-5-94
Date

4043601041



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

REC'D
FEDERAL ELECTION
COMMISSION
OFFICE
DEC 2 2 43 PM '94

12/02/94

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE OAKAR
for Congress, check number 4642, dated 11/27/94, and in the amount of \$333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Oakar for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

12-5-94
Date

4043601042



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

Date: 1/4/95

✓ Microfilm
 Public Records
 Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3650

25043620027

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

December 26, 1994

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the January, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Ecl.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JAN 4 9 25 AM '95

25043620028

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6650

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

12/28/94

\$886.00

999 E STREET, NW
Washington, DC 20463

Patrick O'Hanlon

Jan., 1995 Payment MUR 3850

⑈006650⑈ ⑆041000687⑆00125⑈2702⑈

29
00026345



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

1/3/95

Jan 4 3 24 AM '95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar, check number 3650, dated 12/26/94, and in the amount of \$ 333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$ 333.00, the MUR number is 3650 and in the name of Mary Rose Oakar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

1-4-95
Date

25043620030



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

Date: 2/7/95

_____ Microfilm
_____ Public Records
_____ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

25043624983

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

FEB 5 11 36 AM '95

January 27, 1994

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

FEB 6 2 32 PM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the February, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Ecl.

25043624284

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6660

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

01/28/95

\$888.00

898 E STREET, NW
Washington, DC 20483

February payment, MUR 3650

⑈006660⑈ ⑆041000687⑆00125⑈2702⑈

Robert O'Connell

25013624985



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2/8/95

FEB 6 2 32 PM '95

FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose
OGC for Congress, check number 660 dated 1/26/95
and in the amount of \$ 338.08.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket *RP*

In reference to the above check in the amount of
\$ 338.08, the MUR number is 3650 and in the name of
Mary Rose OGC for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Rosa E. Swinton
Signature

2/8/95
Date

25043624936



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

2/3/94

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

FEB 6 2 32 PM '95

We recently received a check from Mary Rose
Oakland, check number 4660, dated
1/26/95, and in the amount of \$ 335.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket *AF*

In reference to the above check in the amount of
\$ 335.00, the MUR number is 3450 and in the name of
Mary Rose Oakland. The account into
which it should be deposited is indicated below:

- ☐ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Signature

Date



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 3/7/95

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3650

25043631688

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAR 3 9 27 AM '95

MAR 6 10 52 AM '95

February 26, 1994

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the February, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely


Patrick J. O'Donnell
Treasurer

Enclosure

25743631689

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6667

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

02/25/95

\$666.00

March payment MUR 3850

⑈006667⑈ ⑆04⑆000687⑆00⑆25⑈2702⑈

Patrick O'Neill

Per your request,

Copy of check was not with
correspondence sent on 3/3/95.

05943631690



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mar 6 10 55 AM '95

March 3, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar ~~for Congress~~, check number 4647 dated 2/25/95, and in the amount of \$333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$333.00, the MUR number is 3650 and in the name of Mary Rose Oakar for Congress. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

3-7-95
Date

169136345



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

3/7/95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose
Oakar, check number 10007, dated
2/25/95, and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Oakar. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

3-7-95
Date

05043631692



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 4/10/95

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED RMR 3650

9504333333

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAR 31 9 11 AM '95

March 26, 1995

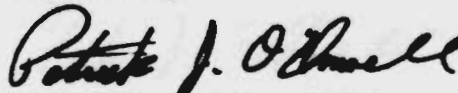
Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the April, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

2504363364

9 5 0 4 3 6 3 3 3 6 5

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 488
EDGEWATER BRANCH
LAKEWOOD, OH 44187

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44187
6-88/410

6671

PAY TO THE ORDER OF:

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

DATE

AMOUNT

03/18/94

\$666.00

April payment HUR 3850

⑈006671⑈ ⑆041000687⑆00125-2702⑈

Patrick O'Connell



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

APR 3 12 23 PM '95

3/31/95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE
DAKAR, check number 6671, dated 3/18/95, and in the amount of \$333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket Byaa

In reference to the above check in the amount of
\$333.00, the MUR number is 9450 and in the name of
Mary Rose Dakar. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

4-4-95
Date

25043633366



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

3/31/95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose OAKAR
for Congress, check number 6001, dated
3/18/95, and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$ 333.00, the MUR number is 2650 and in the name of
Mary Rose OAKAR for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

4-4-95
Date

25043633367



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Date: 5/11/95

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3650

95043640082

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

April 29, 1995

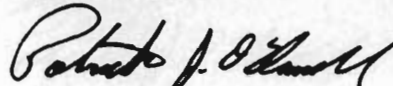
Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the May, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
MAY 3 9 06 AM '95

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-69/410

6673

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

04/17/95

\$866.00

May payment, HUR 3650

#006673# 1041000687100125-2702#

Patrick J. O'Malley

95043640084



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

May 5 3 03 PM '95
OFFICE OF THE CLERK
FEDERAL ELECTION COMMISSION

May 5, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: *Sharon Howden*
For Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar
for Congress, check number 6730, dated
April 17, 1995, and in the amount of \$333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

=====

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket *By aa*

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Oakar for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

5-5-95
Date



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 5, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: *Stacy London*
For Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar
for Congress, check number 66731, dated
April 17, 1995, and in the amount of \$333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

=====

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket *By aa*

In reference to the above check in the amount of
\$333.00, the MUR number is 3650 and in the name of
Mary Rose Oakar. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

5-5-95
Date



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Date: 6/7/95

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

25043643351

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

JUN 2 11 20 AM '95

May 30, 1995

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the June, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

25043643352

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
8-88/410

6682

PAY TO THE ORDER OF:

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

DATE

AMOUNT

05/31/95

\$668.00

June payment MUR 3850

⑈006682⑈ ⑆04⑆000687⑆00⑆25⑈2702⑈

Patricia O'Connell

5043643353



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

Jun 5 9 10 AM '95

June 2, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar, check number 1662, dated 5/31/95, and in the amount of \$ 333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$ 333.00, the MUR number is 3650 and in the name of Mary Rose Oakar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

6-5-95
Date

05043643354



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

June 2, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar
for Congress Ch+E, check number 1642, dated
5/31/95, and in the amount of \$333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$333.00, the MUR number is 3650 and in the name of
Mary Rose Oakar for Congress Ch+E. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

6/5-95
Date

25043643355



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 7/7/95

☒ Microfilm
 Public Records
 Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

95043655490

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch
P.O. Box 458 • Cleveland, Ohio 44107-0458

June 30, 1995

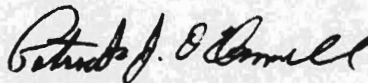
Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the July, 1995 payment of \$666.00 on the civil penalties accessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

JUL 6 11 28 AM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

95043655491

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-62/410

6685

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

08/30/95

\$668.00

Kathleen O'Donnell

July payment MU 3850

⑈006685⑈ ⑆041000687⑆00125-2702⑈

2 4 9 5 5 5 6 3 4 0 5 9



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

July 6, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar, check number 14851, dated 6-30-95, and in the amount of \$333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$333.00, the MUR number is 3660 and in the name of Mary Rose Oakar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

7-6-95
Date

95043655493



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

July 6, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oaker
For Congress, check number 14850, dated
1-30-95, and in the amount of \$333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$333.00, the MUR number is 3650 and in the name of
Mary Rose Oaker for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

7-6-95
Date

95043655494



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

Date: 8/31/95

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

95043665411

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

AUG 29 10 52 AM '95

August 24, 1995

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the September, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely

Patrick J. O'Donnell
Patrick J. O'Donnell
Treasurer

Enclosure

95043665412

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM
AUG 29 10 52 AM '95

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 468
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-88/410

6692

PAY TO THE ORDER OF:

Federal Elections Commission

**999 E STREET, NW
Washington, DC 20463**

DATE

AMOUNT

08/24/95

\$666.00

Kathleen A. O'Donnell

September, 1995 payment HUR 3850

⑈006692⑈ ⑆041000687⑆00125⑈2702⑈

9 5 0 4 3 6 6 5 4 1 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

AUG 31 9 24 AM '95

August 30, 1995

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician *lb*

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE OAKAR
FOR CONGRESS, check number 6692, dated
8-24-95, for the amount of \$ 333.00. A
copy of the check and any correspondence is being forwarded.
Please indicate below which account the funds should be deposited
and give the MUR/Case number and name associated with the deposit.

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket *aa*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 333.00,
the MUR/Case number is 3650 and in the name of Mary Rose Oakar for Congress. Place this deposit
in the account indicated below:

☒ Budget Clearing Account (OGC), 95F3875.16

☐ Civil Penalties Account, 95-1099.160

☐ Other: _____

Anita Alexander
Signature

8-31-95
Date

95043665414



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Aug 31 9 24 AM '95

AUGUST 30, 1995

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown *ldt* Disbursement Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE OAKAR
FOR CONGRESS, check number 6692, dated
8-24-95, for the amount of \$ 333.00. A
copy of the check and any correspondence is being forwarded.
Please indicate below which account the funds should be deposited
and give the MUR/Case number and name associated with the deposit.

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket *aa*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 333.00,
the MUR/Case number is 3650 and in the name of MARY ROSE OAKAR. Place this deposit
in the account indicated below:

☒ Budget Clearing Account (OGC), 95F3875.16

☐ Civil Penalties Account, 95-1099.160

☐ Other: _____

Anita Alexander
Signature

8-31-95
Date

9504365415



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 8/2/95

✓ Microfilm
 Public Records
 Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

95043684370

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

RECEIVED
FEDERAL ELECTION
COMMISSION
ACCOUNTING OFFICE

JUL 31 2 12 PM '95

July 26, 1995

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

AUG 1 9 50 AM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the August, 1995 payment of \$666.00 on the civil penalties accessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

AUG 2 12 13 PM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Enclosure

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 488
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6688

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

07/28/95

\$666.00

Robert O. O'Connell

⑈006688⑈ ⑆041000687⑆00125⑈2702⑈

95043684372



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 31, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE OAKAR
FOR CONGRESS, check number 6688, dated
July 26, 1995, and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

=====

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Oakar For Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

8-2-95
Date



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

103 2 12 11 1995

AUGUST 2, 1995

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE OAKAR, check number 6688, dated July 26, 1995, and in the amount of \$ 333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

=====

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$ 339.00, the MUR number is 3650 and in the name of Mary Rose Oakar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

8-2-95
Date

95043684374



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 10/18/95

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

95043692251

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

October 3, 1995

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

RECEIVED
FEDERAL ELECTION
COMMISSION
ACCOUNTING OFFICE
OCT 10 1 20 PM '95

Dear Mr. Wise:

Enclosed is the October, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

95043692252

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6696

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

999 E STREET, NW
Washington, DC 20483

10/03/95

\$666.00

Kathleen O'Donnell

October payment MU 3850

⑈006696⑈ ⑆041000687⑆00125⑈2702⑈

95743692253



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

10/11/95

Oct 18 2 03 PM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose
Ogkar, check number 6654, dated
10/3/95, and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Ogkar EnCompassante. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

10-18-95
Date

95043692254



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

10/11/95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

Oct 18 2 03 PM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

We recently received a check from Mary Rose
Ogkar, check number 2650, dated
10/3/95, and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Ogkar. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
- ☐ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Anita Alexander
Signature

10-18-95
Date

95043692255



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 11/3/95

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

95043692221

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

OCTOBER 27, 1995

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

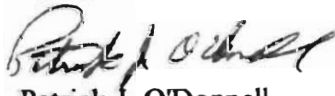
RECEIVED
FEDERAL ELECTION
COMMISSION
ACCOUNTING OFFICE
OCT 32 11 41 AM '95

RE: MUR 3650

Dear Mr. Wise

Enclosed is the November, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
NOV 1 2 36 PM '95

Enclosure

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6699

PAY TO THE ORDER OF:

Federal Elections Commission

999 E STREET, NW
Washington, DC 20483

November, 1995 payment MUR 3850

⑈006699⑈ ⑈04⑈000687⑈00⑈25⑈2702⑈

DATE

AMOUNT

10/27/95

\$888.00

Kathleen C'Donnell

9 5 0 4 3 6 9 2 2 9 3



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Nov 1 2 36 PM '95

November 1, 1995

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown^{ldh} Disbursement Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar
for Congress, check number 6699, dated 10-27-95, for the amount of \$ 333.00. A
copy of the check and any correspondence is being forwarded.
Please indicate below which account the funds should be deposited
and give the MUR/Case number and name associated with the deposit.

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket By aa

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 333.00,
the MUR/Case number is 3650 and in the name of Mary Rose Oakar. Place this deposit
in the account indicated below:

☒ Budget Clearing Account (OGC), 95F3875.16

☐ Civil Penalties Account, 95-1099.160

☐ Other: _____

Ainda Alexander
Signature

11-1-95
Date

95043692294



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1995

Nov 1 2 36 PM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician *llb*

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oaker
for Congress, check number 6677, dated 10-27-95, for the amount of \$ 333.00. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket *By aa*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 333.00, the MUR/Case number is 3650 and in the name of Mary Rose Oaker for Congress. Place this deposit in the account indicated below:

☒ Budget Clearing Account (OGC), 95F3875.16

☐ Civil Penalties Account, 95-1099.160

☐ Other: _____

Anita Alexander
Signature

11-1-95
Date



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

Date: 12/7/95

✓ Microfilm
 Public Records
 Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

95043701143

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

DEC 5 11 02 AM '95

December 3, 1995

Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

Dec 7 9 44 AM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the December, 1995 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

95043701144

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6703

PAY TO THE ORDER OF:

Federal Elections Commission

999 E STREET, NW
Washington, DC 20483

DATE

AMOUNT

12/03/95

\$888.00

December, 1995 payment MUR 3850

⑈006703⑈ ⑆041000687⑆00125-2702⑈

Patricia J. O'Malley

9504370115



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

12/6/95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose, check number 4729, dated 12/3/95, and in the amount of \$ 333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket by aa

In reference to the above check in the amount of \$ 333.00, the MUR number is 3650 and in the name of Mary Rose Oakar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Rita Alexander
Signature

12-7-95
Date

95043701116



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20461

12/6/95

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose
Cagkar for Congress, check number 2763, dated
12/3/95, and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa.

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Cagkar for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

12-7-95
Date

95043701147



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO
THE PUBLIC FILE OF CLOSED MUR 3650 .

96043720719

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

January 1, 1996

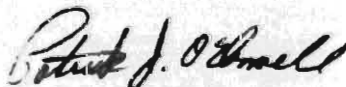
Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the January, 1996 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure.

96043720700

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6706

PAY TO THE ORDER OF:

Federal Elections Commission

999 E STREET, NW
Washington, DC 20483

DATE

AMOUNT

01/01/98

\$888.00

January, 1998 payment MUR 3850

⑈006706⑈ ⑆04⑆000687⑆00⑆25⑈2702⑈

Patricia O'Brien

9 6 0 4 3 7 2 0 7 2 1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JAN 5 3 00 PM '96

JANUARY 4, 1996

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE OAKAR, check number 6706, dated JANUARY 1, 1996, for the amount of \$ 333.00. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket Byaa

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 333.00, the MUR/Case number is 3650 and in the name of MARY ROSE OAKAR. Place this deposit in the account indicated below:

☒ Budget Clearing Account (OGC), 95F3875.16

☐ Civil Penalties Account, 95-1099.160

☐ Other: _____

Anita Alexander
Signature

1-5-96
Date

96043720792



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JANUARY 4, 1996

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown *ldb* Disbursement Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from MARY ROSE OKAR
FOR CONGRESS, check number 6706, dated
JANUARY 1, 1996, for the amount of \$ 333.00. A
copy of the check and any correspondence is being forwarded.
Please indicate below which account the funds should be deposited
and give the MUR/Case number and name associated with the deposit.

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket *By OA*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 333.00,
the MUR/Case number is 3650 and in the name of Mary Rose Okar for Congress. Place this deposit
in the account indicated below:

☒ Budget Clearing Account (OGC), 95F3875.16

☐ Civil Penalties Account, 95-1099.160

☐ Other: _____

Anita Alexander
Signature

1-5-96
Date

96043720724



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

**THE FOLLOWING MATERIAL IS BEING ADDED TO
THE PUBLIC FILE OF CLOSED MUR 3650.**

9604372116

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

January 30, 1996

Phillip Wise, Esq
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr Wise:

Enclosed is the February, 1996 payment of \$666.00 on the civil penalties assessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

96043721147

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6711

PAY TO THE ORDER OF:

Federal Elections Commission

899 E STREET, NW
Washington, DC 20483

DATE

AMOUNT

01/30/95

\$666.00

February, 1995 payment MUR 3850

Patrick O'Donnell

⑈006711⑈ ⑆041000687⑆00125-2702⑈

9604372118



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

FEB 6 9 53 AM '96

2/5/96

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose, check number 6711, dated 1/30/96, and in the amount of \$ 333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$ 333.00, the MUR number is 3650 and in the name of Mary Rose Dekar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

2-6-96
Date

96043721149



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

2/5/96

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose
Dakar for Congress, check number 6711, dated
1/30/96, and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket Rafal

In reference to the above check in the amount of
\$ 333.00, the MUR number is 3650 and in the name of
Mary Rose Dakar for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

2-6-96
Date

9604372110

96043721151



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 5/13/96

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 3650

9601372210

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0358

March 5, 1996

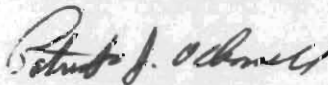
Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the March, 1996 payment of \$666.00 on the civil penalties accessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAR 12 11 04 AM '96

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-02/410

6714

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

02/08/98

\$666.00

999 E STREET, NW
Washington, DC 20463

Mary Rose Oakar

MUR 3850 March 1998 PAYMENT
006714 001000687:00125-2702

96043722792

MAR 12 11 04 AM '96



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

3/11/96

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oaker
for Congress, check number 6714, dated 2/6/96,
and in the amount of \$ 333.00.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the NUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of
\$ 333.00, the NUR number is 3650 and in the name of
Mary Rose Oaker for Congress. The account into
which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

3-12-96
Date

96043722793



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

3/11/96

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oskar, check number 1214, dated 2/6/96, and in the amount of \$ 333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$ 333.00, the MUR number is 3650 and in the name of Mary Rose Oskar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

3-12-96
Date

96043722794



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 4/16/96

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3650

96043732364

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

April 7, 1996

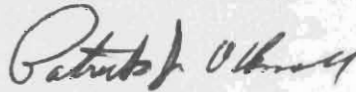
Phillip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the April, 1996 payment of \$666.00 on the civil penalties accessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

RECEIVED
FEDERAL ELECTION
COMMISSION
ACCOUNTING OFFICE
APR 10 1 09 PM '96

9 6 0 4 3 3 2 3 6 5

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6720

PAY TO THE ORDER OF:

DATE

AMOUNT

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

04/07/96

\$666.00

Mur 3650 April, 1996 payment.

⑈006720⑈ ⑆04⑆000687⑆00⑆25⑈2702⑈

Patrick O'Brien

96043732366



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

April 11, 1996

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF
GENERAL COUNSEL

10 26 AM '96

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar, check number 6780, dated April 7, 1996, and in the amount of \$333.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$333.00, the MUR number is 3650 and in the name of Mary Rose Oakar. The account into which it should be deposited is indicated below:

- ☒ Budget Clearing Account (OGC), 95F3875.16
☐ Civil Penalties Account, 95-1099.160
☐ Other: _____

Anita Alexander
Signature

4-11-96
Date

96043732367



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

April 11, 1996

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose
Cakar for Congress, check number 6790, dated
April 7, 1986, and in the amount of \$.
Attached is a copy of the check and any correspondence that
was forwarded. Please indicate below the account into which
it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa.

In reference to the above check in the amount of \$ 333.00, the MUR number is 3650 and in the name of Mary Rose Oaker for Congress. The account into which it should be deposited is indicated below:

✓ Budget Clearing Account (OGC), 95F3875.16
— Civil Penalties Account, 95-1099.160
Other:

Anita Alexander
Signature

4-11-96
Date



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Date: 5/14/96

☒ Microfilm
☐ Public Records
☐ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3650

96043734100

MARY ROSE OAKAR

For Congress Committee

Edgewater Branch

P.O. Box 458 • Cleveland, Ohio 44107-0458

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

MAY 10 12 03 PM '96

May 7, 1996

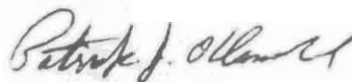
Philip Wise, Esq.
Office of General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 3650

Dear Mr. Wise:

Enclosed is the May, 1996 payment of \$678.00 on the civil penalties accessed against Mary Rose Oakar, and the Mary Rose Oakar for Congress Committee and Patrick J. O'Donnell, as treasurer. This will be our final payment of the MUR 3650 penalty assessed against the above parties.

Sincerely



Patrick J. O'Donnell
Treasurer

Enclosure

MARY ROSE OAKAR for Congress Committee, Margaret Miller, Secretary

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

96043334101

MARY ROSE OAKAR FOR CONGRESS

P.O. BOX 458
EDGEWATER BRANCH
LAKEWOOD, OH 44107

AMERITRUST COMPANY, N.A.
DETROIT-WEST 117TH OFFICE
LAKEWOOD, OH 44107
6-68/410

6723

PAY TO THE ORDER OF:

Federal Elections Commission

999 E STREET, NW
Washington, DC 20463

DATE

AMOUNT

05/07/96

\$678.00

MUR 3650 May 1996 Final payment.

⑈006723⑈ ⑆041000687⑆00125⑈2702⑈

Patricia O'Connell

26148/84096



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 13, 1996

MAY 14 9 36 AM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician *LSB*

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oaker
for Congress, check number 6723, dated May 7, 1996, for the amount of \$ 339.00. A
copy of the check and any correspondence is being forwarded.
Please indicate below which account the funds should be deposited
and give the MUR/Case number and name associated with the deposit.

=====

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket *Byaa*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 339.00,
the MUR/Case number is 3650 and in the name of Mary Rose Oaker. Place this deposit
in the account indicated below:

☐ Budget Clearing Account (OGC), 95F3875.16

☒ Civil Penalties Account, 95-1099.160

☐ Other: _____

Anita Alexander
Signature

5-14-96
Date



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 13, 1996

TWO WAY MEMORANDUM

TO: OGC Docket

FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown *ldb* Disbursement Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Mary Rose Oakar
for Congress, check number 6723, dated May 2, 1996, for the amount of \$ 339.00. A copy of the check and any correspondence is being forwarded. Please indicate below which account the funds should be deposited and give the MUR/Case number and name associated with the deposit.

=====

TO: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursement Technician

FROM: OGC Docket *By aa*

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 339.00, the MUR/Case number is 3650 and in the name of Mary Rose Oakar for Congress. Place this deposit in the account indicated below:

☐ Budget Clearing Account (OGC), 95F3875.16

☒ Civil Penalties Account, 95-1099.160

☐ Other: _____

Amita Alexander
Signature

5-14-96
Date