



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4194

DATE FILMED 2-3-97 CAMERA NO. 4

CAMERAMAN JMU

97043773529

**REPORTS ANALYSIS REFERRAL**

TO

**OFFICE OF GENERAL COUNSEL**DATE: March 1, 1994

ANALYST: HEATHER TOONEY

**I. COMMITTEE:** Mascara For Congress  
(C00263236)  
Edward Mendola, Treasurer  
831 Lincoln Avenue  
Charleroi, PA 15022

**II. RELEVANT STATUTE:** A. 2 U.S.C. §441a(f)  
B. 2 U.S.C. §434(a)(6)  
11 CFR §104.5(f)

**III. BACKGROUND:****A. Receipt of Excessive Contributions****1. Violations Discovered During Initial Review**

Mascara for Congress ("the Committee") has accepted excessive contributions in the form of loan guarantees, totalling \$16,500, from one (1) individual during 1992. To date, the Committee has not refunded the excessive amounts.

Schedules C-1, a letter and accompanying documentation received with the Committee's Amended July Quarterly Report disclose the receipt of four (4) loans and lines of credit totalling \$48,000 for the Primary (Attachment 2). They were received between April 9 and 21, 1992 and ranged in amount between \$1,000 and \$40,000. The one (1) \$40,000 loan was initially received by the candidate's authorized committee (Mascara Campaign Committee) and subsequently transferred to the Committee. The three (3) lines of credit totalling \$8,000 were originally disclosed as loans from the candidate.

The \$40,000 loan was guaranteed by the candidate and his wife. Based on the collateral listed on Schedule C-1 and the accompanying Promissory Note, it appears that the wife's share of this loan is \$12,500. With respect to the three (3)

9704377357C

lines of credit, Schedules C-1 indicate that none are secured and two (2) of them "dates [sic] back many years." However, copies of each issuing bank's statement disclose that each line of credit is in the names of the candidate and his wife. It appears that her share is one-half of each line of credit, thereby totalling \$4,000. In addition, she made an earlier \$1,000 contribution received March 27, 1992 also for the Primary (Attachment 3).

A Request for Additional Information ("RFAI") was sent to the Committee on November 26, 1993, regarding the Amended 1992 July Quarterly Report (Attachment 4). The RFAI noted the receipt of the excessive loans and requested that the Committee refund the amount in excess of the \$1,000 per election limit. In addition, the RFAI noted the possibility of further Commission action concerning the acceptance of excessive contributions.

On November 30, 1993, a Reports Analysis Division analyst spoke with the treasurer concerning the RFAI they received. The analyst explained to the treasurer in great detail why the candidate's wife was an excessive guarantor of the loans since the accounts were jointly held (Attachment 5).

On December 7, 1993 the Committee responded (Attachment 6). The response did not adequately address the matter regarding the jointly held assets used to secure one loan and the additional lines of credit. The response stated that the funds "emanated from accounts jointly held by the candidate and the candidate's spouse".

## 2. Violations Discovered During Referral Preparation

Additional apparent excessive contributions totalling \$1,550 were discovered during the preparation of this referral. The October Quarterly Report disclosed the receipt of \$1,550 in apparent excessive contributions from three (3) individuals between July 24 and August 21, 1992 (Attachment 7). All of these contributions were for the Primary. The Committee has not been notified of these contributions nor has the Committee reported refunding any of these contributions.

## B. Failure to File Forty-Eight Hour Notifications

The Committee has failed to file 32 of 60 or 53% of the required Forty-Eight Hour Notifications ("48-Hour Notices") for contributions from individuals and political committees totalling \$47,500 received prior to the 1992 Primary Election.

97043773531

In addition, the Committee has failed to file two (2) 48-Hour Notices for candidate contributions/loans totalling \$28,500 which represents 80% of the candidate's contributions/loans requiring 48-Hour Notices prior to the 1992 Primary Election.

The candidate was involved in the 1992 Primary Election held on April 28, 1992. Prior Notice was sent to the Committee on March 23, 1992 (Attachment 8). The Notice includes a section titled "48 Hour Notices on Contributions". This section reads "Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of April 9 through April 25. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s)."

Schedules A and C of the original and amended July Quarterly Reports indicate that the Committee failed to file thirty-two (32) 48-Hour Notices for contributions received during the aforementioned period (Attachment 9). The following is a list of the contributions for which no 48-Hour Notices were filed:

| <u>Contributor Name</u>           | <u>Date</u> | <u>Amount</u> |
|-----------------------------------|-------------|---------------|
| Thomas Lechner                    | 4/9/92      | \$1,000       |
| N. John Cunzolo                   | 4/9/92      | \$1,000       |
| Robert D. & Karen A. Clinton, Jr. | 4/9/92      | \$1,000       |
| Charles F. & Laura Welker         | 4/9/92      | \$1,000       |
| Thomas J. & Christine Santone     | 4/9/92      | \$1,000       |
| C. Andrew Russell                 | 4/9/92      | \$1,000       |
| Janice A. Rea                     | 4/9/92      | \$1,000       |
| Donald E. Rea                     | 4/9/92      | \$1,000       |
| Thomas J. Murphy                  | 4/9/92      | \$1,000       |
| Thomas F. Mosure                  | 4/9/92      | \$1,000       |
| Robert J. & Deborah H. McGurk     | 4/9/92      | \$1,000       |
| Neal H. Holmes                    | 4/9/92      | \$1,000       |
| Joseph F. Grochmal                | 4/9/92      | \$1,000       |
| Charles A. & Deborah J. Gomulka   | 4/9/92      | \$1,000       |
| Charles A. & Deborah J. Gomulka   | 4/9/92      | \$1,000       |
| Anthony P. DeJulius               | 4/9/92      | \$1,000       |
| John F. Cambest                   | 4/9/92      | \$1,000       |
| Paul & Marilyn Apostolou          | 4/9/92      | \$1,000       |
| James R. Agras                    | 4/9/92      | \$1,000       |
| Electra P. Agras                  | 4/9/92      | \$1,000       |
| Maxine Miller                     | 4/9/92      | \$1,000       |
| Arthur J. Bedway                  | 4/9/92      | \$1,000       |
| Anthony & Dora Jean Vitale        | 4/10/92     | \$1,000       |
| Thomas Staockhausen               | 4/10/92     | \$1,000       |
| Joseph & Regina Saluncci          | 4/10/92     | \$1,000       |
| Charles S. Pryor                  | 4/17/92     | \$1,000       |
| RRZFAC                            | 4/9/92      | \$5,000       |

97043773572

| <u>Contributor Name</u>          | <u>Date</u> | <u>Amount</u>          |
|----------------------------------|-------------|------------------------|
| Jon Mascara (loan)               | 4/9/92      | \$1,000                |
| Louis Lignelli (loan)            | 4/9/92      | \$1,000                |
| Darlens Lignelli (loan)          | 4/9/92      | \$1,000 <sup>1/</sup>  |
| Lisa Neil (loan)                 | 4/16/92     | \$1,000                |
| Dolores Mascara (loan guarantor) | 4/19/92     | \$12,500 <sup>2/</sup> |

Schedule A and C of the 1992 July Quarterly Report indicate that the Committee failed to file two (2) 48-Hour Notices for candidate contributions/loans received during the aforementioned period (Attachment 10). The following are the candidate contribution/loans for which no 48-Hour Notices were filed:

| <u>Contributor Name</u>              | <u>Date</u> | <u>Amount</u>          |
|--------------------------------------|-------------|------------------------|
| Frank R. Mascara<br>(Personal Funds) | 4/9/92      | \$ 1,000               |
| Frank R. Mascara<br>(Loan Guarantee) | 4/19/92     | \$27,500 <sup>2/</sup> |

On August 24, 1993, a Request for Additional Information ("RFAI") was sent to the Committee (Attachment 11). The RFAI notes on an informational basis that the Committee may have failed to file one or more of the required 48-Hour Notices for "last minute" contributions of \$1,000 or more. The notice requests the Committee to review their procedures for checking contributions received during the aforementioned time period. In addition, the notice states that although the Commission may take legal steps, any response would be taken into consideration.

On September 24, 1993, a representative from the Committee called and said that they would be sending in amendments to the July Quarterly Report as soon as possible (Attachment 12).

On October 4, 1993 an amendment to the July Quarterly Report was received (Attachment 13). The Committee states that there must have been a misunderstanding of the day the last minute report began, since the only ones not reported were received on the very first day of the required period. The Committee notes that there was not intent to deceive the Committee's reporting of loans.

<sup>1/</sup> There is a date of receipt discrepancy between Schedules A and C. It is April 9th on Schedule A and April 8th on Schedule C.

<sup>2/</sup> These loan guarantees were originally disclosed as a transfer-in from the Mascara Campaign Committee.

97043773573

FEDERAL ELECTION COMMISSION  
1991-1992

DATE 28FEB94

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

| CANDIDATE/COMMITTEE/DOCUMENT | OFFICE SOUGHT/ | PARTY | RECEIPTS |         | DISBURSEMENTS |         | COVERAGE DATES | # OF PAGES | MICROFILM LOCATION |
|------------------------------|----------------|-------|----------|---------|---------------|---------|----------------|------------|--------------------|
|                              |                |       | PRIMARY  | GENERAL | PRIMARY       | GENERAL |                |            |                    |

|                                    |                           |              |               |               |         |  |  |   |                |
|------------------------------------|---------------------------|--------------|---------------|---------------|---------|--|--|---|----------------|
| MASCARA, FRANK R                   | HOUSE 20 DEMOCRATIC PARTY | PENNSYLVANIA | 1992 ELECTION | ID# H2PA20065 |         |  |  |   |                |
| 1. STATEMENT OF CANDIDATE          |                           |              |               |               |         |  |  |   |                |
| 1992 STATEMENT OF CANDIDATE        |                           |              |               |               | 23MAR92 |  |  | 1 | 92HSE/444/1759 |
| STATEMENT OF CANDIDATE - AMENDMENT |                           |              |               |               | 6APR92  |  |  | 1 | 92HSE/444/3782 |
| 2. PRINCIPAL CAMPAIGN COMMITTEE    |                           |              |               |               |         |  |  |   |                |

|  |  |  |         |           |                  |       |  |     |                |
|--|--|--|---------|-----------|------------------|-------|--|-----|----------------|
| MASCARA FOR CONGRESS                   |  |  |         |           | ID #C00263236    | HOUSE |  |     |                |
| 1992 STATEMENT OF ORGANIZATION         |  |  |         |           |                  |       |  |     |                |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 23MAR92          |       |  | 1   | 92HSE/444/1764 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 14APR92          |       |  | 4   | 92HSE/445/3796 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 15APR92          |       |  | 1   | 92HSE/446/1750 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 15APR92          |       |  | 1   | 92HSE/446/1749 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 16APR92          |       |  | 1   | 92HSE/446/2079 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 16APR92          |       |  | 7   | 92HSE/446/4044 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 20APR92          |       |  | 6   | 92HSE/449/0343 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 20APR92          |       |  | 4   | 92HSE/449/0067 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 21APR92          |       |  | 3   | 92HSE/449/1061 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 21APR92          |       |  | 2   | 92HSE/450/0740 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 22APR92          |       |  | 2   | 92HSE/450/0769 |
| 48 HOUR CONTRIBUTION NOTICE            |  |  |         |           | 24APR92          |       |  | 1   | 92HSE/450/2132 |
| APRIL QUARTERLY                        |  |  | 39,495  | 12,955    | 3MAR92 - 8APR92  |       |  | 33  | 92HSE/445/3734 |
| APRIL QUARTERLY - AMENDMENT            |  |  | 39,495  | 12,955    | 3MAR92 - 8APR92  |       |  | 24  | 92HSE/454/0889 |
| APRIL QUARTERLY - AMENDMENT            |  |  | -       | -         | 3MAR92 - 8APR92  |       |  | 3   | 92HSE/457/0560 |
| 1'ST LETTER INFORMATIONAL NOTICE       |  |  |         |           | 3MAR92 - 8APR92  |       |  | 1   | 92PBC/757/0465 |
| JULY QUARTERLY                         |  |  | 168,743 | 192,482   | 9APR92 - 30JUN92 |       |  | 58  | 92HSE/455/3404 |
| JULY QUARTERLY - AMENDMENT             |  |  | 168,743 | 192,482   | 9APR92 - 30JUN92 |       |  | 74  | 93HSE/505/2852 |
| JULY QUARTERLY - AMENDMENT             |  |  | -       | -         | 9APR92 - 30JUN92 |       |  | 1   | 93HSE/506/2616 |
| JULY QUARTERLY - AMENDMENT             |  |  | -       | -         | 9APR90 - 30JUN92 |       |  | 1   | 93HSE/506/2694 |
| REQUEST FOR ADDITIONAL INFORMATION     |  |  |         |           | 9APR92 - 30JUN92 |       |  | 4   | 93PBC/858/3803 |
| REQUEST FOR ADDITIONAL INFORMATION 2ND |  |  |         |           | 9APR92 - 30JUN92 |       |  | 6   | 93PBC/861/4462 |
| REQUEST FOR ADDITIONAL INFORMATION     |  |  |         |           | 9APR92 - 30JUN92 |       |  | 10  | 93PBC/868/1458 |
| OCTOBER QUARTERLY                      |  |  | 21,736  | 24,052    | 1JUL92 - 30SEP92 |       |  | 35  | 92HSE/469/0480 |
| YEAR-END                               |  |  | 800     | 730       | 1OCT92 - 31DEC92 |       |  | 26  | 93HSE/491/5320 |
| TOTAL                                  |  |  | 230,774 | 0 230,219 |                  |       |  | 309 | TOTAL PAGES    |

3. AUTHORIZED COMMITTEES

|                                |  |  |        |        |                  |       |  |    |                |
|--------------------------------|--|--|--------|--------|------------------|-------|--|----|----------------|
| MASCARA CAMPAIGN COMMITTEE     |  |  |        |        | ID #C00264226    | HOUSE |  |    |                |
| 1992 STATEMENT OF ORGANIZATION |  |  |        |        |                  |       |  |    |                |
| TERMINATION APPROVAL           |  |  |        |        | 6APR92           |       |  | 1  | 92HSE/444/3778 |
| APRIL QUARTERLY - TERMINATED   |  |  | 11,294 | 10,635 | 15MAY92          |       |  | 1  | 92PBC/755/0926 |
|                                |  |  |        |        | 27MAR92 - 3APR92 |       |  | 8  | 92HSE/444/3648 |
| TERMINATED                     |  |  |        |        |                  |       |  | 10 | TOTAL PAGES    |

10 AUTH TOT PAGES

4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

Ending cash-on-hand as of 12/31/92: \$554.  
 Outstanding debts owed by the committee  
 as of 12/31/92: \$57,208 (does not include \$40,000 loan nor  
 \$5,000 in lines of credit)  
 All reports have been reviewed.

97043773534

FEDERAL ELECTION COMMISSION  
1993-1994

DATE 28FEB94

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (2)

PAGE 2

| CANDIDATE/COMMITTEE/DOCUMENT | RECEIPTS             |                 | DISBURSEMENTS   |         | COVERAGE DATES | # OF PAGES | MICROFILM LOCATION |
|------------------------------|----------------------|-----------------|-----------------|---------|----------------|------------|--------------------|
|                              | OFFICE SOUGHT/ PARTY | PRIMARY GENERAL | PRIMARY GENERAL | GENERAL |                |            |                    |

MASCARA, FRANK R                      HOUSE 20 DEMOCRATIC PARTY                      PENNSYLVANIA                      1992 ELECTION ID# H2PA20065

1. STATEMENT OF CANDIDATE
2. PRINCIPAL CAMPAIGN COMMITTEE

| MASCARA FOR CONGRESS      |               |          |               | ID #C00263236 HOUSE |                       |
|---------------------------|---------------|----------|---------------|---------------------|-----------------------|
| 1993 MID-YEAR REPORT      | 3,150         |          | 3,060         | 1JAN93 -30JUN93     | 26 93HSE/504/4041     |
| NOTICE OF FAILURE TO FILE |               |          |               | 1JAN93 -30JUN93     | 1 93PFC/857/3995      |
| YEAR-END                  | 21,700        |          | 11,367        | 1JUL93 -31DEC93     | 36 94HSE/511/4574     |
| <b>TOTAL</b>              | <b>24,850</b> | <b>0</b> | <b>14,427</b> | <b>0</b>            | <b>63 TOTAL PAGES</b> |

3. AUTHORIZED COMMITTEES
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN

No reports have been reviewed.  
Ending cash-on-hand as of 12/31/93: \$8,977  
Outstanding debts owed by the committee as of  
12/31/93: \$53,576 (does not include the \$40,000 loan nor  
the \$8,000 in lines of credit)

97043773535

FORM 8878-1  
Federal Election Commission  
Washington, D.C. 20463

Supplementary for information  
found on Page \_\_\_ of Schedule C  
PAGE 1 LINE 12  
SEE A

**LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS**

|   |                              |                     |
|---|------------------------------|---------------------|
| NAME OF LENDER (or FNU)   | FEC IDENTIFICATION NUMBER    |                     |
| <b>MASCARA FOR CONGRESS</b>   | C00261216                    |                     |
| FOR THIS LOAN, PLEASE REPORT THE TYPE OF LENDING INSTITUTION AND BANK | AMOUNT OF LOAN               | INTEREST RATE (APR) |
| Charlottesville Federal Savings Bank                                  | \$40,000.00                  | 7.50%               |
| First & McKean Ave.   | DATE INCURRED OR ESTABLISHED | DATE DUE            |
| Charlottesville, PA 17022   | 4-19-92                      | 180 days            |
|   | TERMINATION DATE             |                     |
|   | 11/30/92                     |                     |

HAJ

A. Has loan been restructured?  No  Yes If yes, date originally incurred \_\_\_\_\_

B. If line of credit, amount of this draw: N/A; total outstanding balance: \$40,000.00

C. Are other parties secondarily liable for the debt incurred?  
 No  Yes (Endorsers 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 papers, stocks, accounts receivable, cash on deposit, or other similar traditional collateral?  
 No  Yes If yes, specify: Real Estate Personal Residence

What is the value of this collateral? \$55,000.00 - estimated HAJ

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 100.7(b)(11)(B) and 100.8(b)(12)(B). Date account established: \_\_\_\_\_ Location of account: \_\_\_\_\_

F. If neither of the types of collateral described above was pledged for this loan, or if the amount pledged does not equal or exceed the loan amount, state the basis upon which this loan was made and the basis on which it secures repayment.

N/A

|  |                 |
|--|-----------------|
| COOPERATIVE TREASURER<br>Edward Mendola, Treasurer <i>Edward Mendola</i> | DATE<br>9-14-93 |
| TYPED NAME Judith Cap, Asst. Treasurer SIGNATURE <i>Judith Cap</i>       | DATE<br>9/14/93 |

G. 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 rate) no more favorable at the time than those imposed for similar extensions of credit to other borrowers of comparable credit worthiness.

\*\*\* This institution is aware of the requirement that a loan must be made on a basis which assures repayment, and has complied with the requirements set forth at 11 CFR 100.7(b)(11) and 100.8(b)(12) in making this loan.

|   |                             |                 |
|---|-----------------------------|-----------------|
| AUTHORIZED REPRESENTATIVE<br><i>Glenn Hough</i> | TITLE<br>AVP Loan Servicing | DATE<br>9/14/93 |
|---|-----------------------------|-----------------|

0 7 0 4 3 7 3 5 7 6



COPY

**PROMISSORY NOTE**

April 16 , 1992

The undersigned, FRANK R. MASCARA AND DOLORES MASCARA, his wife, promise to pay to the order of CHARLEROI FEDERAL SAVINGS BANK, the sum of Forty Thousand and 00/100ths (\$40,000.00) Dollars to be paid as follows, viz.:

Interest only at the rate of Prime Rate plus 1.00% per annum billed monthly on the outstanding balance beginning May 1, 1992, and payable monthly for a period of One Hundred Eighty (180) days. At the end of One Hundred Eighty (180) days the balance of principal and interest due and owing will be payable in full.

**PAYMENT OF COSTS:**

In addition to the principal and interest payments specified above, the undersigned shall pay to Bank or any other holder hereof, upon demand, all costs and expenses (including reasonable Attorneys' Fees and legal expenses) which may be incurred by Bank or such holder in the enforcement upon default of this note.

**LIABILITIES:**

For all purposes of this note, the term "Liabilities" means this note and any renewals, extensions and modifications thereof and all other existing and future liabilities, whether absolute or contingent, of the undersigned, or any of them, to the Bank of any nature whatsoever and out of whatever transactions arising.

97043773577  
13015052011

**SECURITY INTEREST:**

To secure payment of the liabilities, the bank shall have a lien upon and security interest in any balance or share, belonging to the undersigned or any of them, of any deposit, agency or other accounts with the bank and any other amounts which may be owing from time to time by the bank to the undersigned or any of them. Said lien and security interest shall be independent of any right of set-off which the bank may have.

**DEFAULTS:**

The undersigned shall be in default hereunder upon the occurrence of any of the following events:

(a) the nonpayment when due of any amount payable on any of the liabilities, or the failure of any obligor to observe or perform any agreement of any nature whatsoever with the Bank (the term "Obligor" as used herein being meant to include the undersigned, and all persons secondarily liable on this note or any renewals, extensions, or modifications thereof, such as endorsers or guarantors);

(b) if any obligor becomes insolvent or makes an assignment for the benefit of creditors, or if any petition is filed by or against any Obligor under any provision of any law or statute alleging that such obligor is insolvent or unable to pay debts as they mature;

(c) the entry of any judgment against any obligor or the issuing of any attachment or garnishment against any property of any obligor or the occurrence of any change in the financial condition of any obligor which

97043773538  
9301505201;

in the sole judgment of the bank is materially adverse;

(d) the dissolution, merger, consolidation or reorganization of any obligor which is a corporation or partnership;

(e) the death of any obligor who is a natural person;

(f) any information heretofore or hereafter furnished to the Bank by any obligor in connection with the loan evidenced hereby or the Guaranty on the reverse side hereof should be materially false; and

(g) the failure of any obligor to furnish such financial and other information as the Bank may reasonably request;

**CONFESSION OF JUDGMENT:**

The Undersigned do hereby empower any attorney of any court of record within the United States to appear for them and on their behalf and confess judgment against them jointly and severally for the above sum with costs of suit and attorney's commission of fifteen (15%) percent for collection and release of all heirs and without stay of execution and inquisition upon any levy on real estate is hereby waived; and condemnation agreed to in the exemption of personal property from levy and sell on any execution hereon is also hereby expressly waived and no benefit of exemption to be claimed under and by virtue of any exemption law now in force or which may hereafter be passed.

970143773579  
93015052913

**ACCELERATION AND ENFORCEMENT RIGHTS:**

Whenever the undersigned shall be in default as aforesaid, unless the Bank elects otherwise, the entire unpaid amount of such of the liabilities as are not then due and payable shall become immediately due and payable without notice to or demand on any Obligor. The undersigned waives all right to stay of execution and exemption of property in any action to enforce any of the liabilities.

**MISCELLANEOUS:**

Any failure of the Bank to exercise any right hereunder shall not be construed as a waiver of the right to exercise the same or any other right at any other time.

The rights, duties, benefits and obligations hereunder shall inure to the parties hereto, their heirs, administrators, successors and assigns.

The undersigned shall be jointly and severally liable hereunder.

The undersigned intends this to be a sealed instrument and to be legally bound hereby.

All issues arising hereunder shall be governed by the law of Pennsylvania.

93015052211

IN WITNESS WHEREOF, the Undersigned do hereunto  
set their hands and seals intending to be legally bound hereby, on  
the day and year first above written.

WITNESS:

*[Handwritten signature]*  
*[Handwritten signature]*  
 MAY 19 1957  
 CHIALEPOI FEDERAL  
 SAVINGS BANK  
 FRANK R. HASCARA  
 DOLORES HASCARA (SEAL)  
*[Handwritten initials]*

970437351

93015052913

FORMS 94-1  
Federal Election Commission  
Washington, D.C. 20460

Supplementary for information  
found on Page 1 of Schedule C

**LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS**

|  |  |   |   |
|--|--|---|---|
| NAME OF BORROWER (IN FULL)<br><b>MASCARA FOR CONGRESS</b>  |  | FEB IDENTIFICATION NUMBER<br><b>C00263236</b> |   |
| FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDING INSTITUTION (LENDER)<br><b>Integra Bank<br/>Fifth Street<br/>Charleroi, PA 15022</b> |  | AMOUNT OF LOAN<br><b>\$1,000.00</b>           | INTEREST RATE (APR)<br><b>7%</b>        |
|  |  | DATE INCURRED OR ESTABLISHED<br><b>4/9/92</b> | TYPE OF CREDIT INVOLVING LINE OF CREDIT |

A. Has loan been restructured?  No  Yes If yes, date originally incurred: \_\_\_\_\_

B. If line of credit, amount of this draw: **\$1,000.00**; total outstanding balance: **\$12,812.04**

C. Are other parties secondarily liable for the debt incurred?  
 No  Yes (Endorsers 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 papers, stocks, accounts receivable, cash on deposit, or other similar traditional collateral?  
 No  Yes If yes, specify: \_\_\_\_\_  
What is the value of this collateral? **n/a**

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 100.7(b)(11)(B) and 100.8(b)(12)(B). Date account established: \_\_\_\_\_ Location of account: \_\_\_\_\_

F. If neither of the types of collateral described above was pledged for this loan, or if the amount pledged does not equal or exceed the loan amount, state the basis upon which this loan was made and the basis on which it secures repayment.

**Not applicable**

G. Signature of borrower: **Edward Mendola, Treasurer** *Edward Mendola* DATE: **9-14-93**  
**Judy Cap, Asst. Treasurer** *Judy Cap* DATE: **9/14/93**

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 rate) no more favorable at the time than those imposed for similar extensions of credit to other borrowers of comparable credit worthiness.  
III. This institution is aware of the requirement that a loan must be made on a basis which secures repayment, and has complied with the requirements set forth at 11 CFR 100.7(b)(11) and 100.8(b)(12) in making this loan.

|  |                        |
|--|------------------------|
| Authorized representative<br><i>[Signature]</i><br>SIGNATURE | DATE<br><b>9/14/93</b> |
|--|------------------------|

97043773512

1-800-332-6188

EXTRA CASH

Account



FRANK R MASCARA OR  
DOLores MASCARA  
837 LINCOLN AVE  
CHAMLERUS PA 15022

389

Statement Date 04/30/92

Days in Billing Cycle 30

9724 31735 7  
05272

|                   |          |     |      |       |          |           |
|-------------------|----------|-----|------|-------|----------|-----------|
| BEGINNING BALANCE | 1,000.00 |     |      |       | 1,000.00 | 12,204.00 |
| DIRECT LOAN       | 600.00   | .00 | 7.96 | 99.16 | 292.83   | 12,204.00 |
| CUSTOMER PYMT     | 50.00    |     |      | .00   | 50.00    | 12,204.00 |
| DIRECT LOAN       | 34.00    |     |      | .00   | 34.00    | 12,204.00 |
| INTEREST BILLED   | 91.87    | .00 | 8.00 | 91.87 | .00      | 12,204.00 |
| INSURANCE BILLED  | 8.00     | .00 | 8.00 | .00   | .00      | 12,204.00 |

MARK CR 201  
CASH 300  
500

PAID-52  
MAY 11 '92  
WILCOBANK SOUTH  
CHAMLERUS OFFICE

\$200.-

|                        |                 |        |
|------------------------|-----------------|--------|
| Payment Due Date       | Amount Past Due | .00    |
| 05/15/92               | Other Charges   | .00    |
| Summary of Payment Due | Late Charges    | .00    |
|                        | Insurance       | 9.00   |
|                        | FINANCE CHARGE  | 91.87  |
|                        | Principal       | 106.77 |
| Total Payment Due      |                 | 206.64 |

|          |           |
|----------|-----------|
| 8,075.00 | 15,000.00 |
| .000242  | 2,187.96  |
| .0000211 | 12,629.19 |

(Detach and retain upper portion for your records) (Return lower portion with your payment)

**SCHEDULE C-1**  
Federal Election Commission  
Washington, D.C. 20460

Supplementary for information  
found on Page 11 of Schedule C

**LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS**

|   |  |  |   |
|---|--|--|---|
| NAME OF CREDITOR (in Full)<br><b>NASCARA FOR CONGRESS</b>   |  | FEC IDENTIFICATION NUMBER<br><b>C00263216</b>  |   |
| FULL NAME, STREET ADDRESS AND ZIP CODE OF LENDING INSTITUTION (LENDER)<br><b>Mellon Bank NA<br/>Fifth &amp; Pallowfield<br/>Charleroi, PA 15022</b> |  | AMOUNT OF LOAN<br><b>\$5,000.00</b>            | INTEREST RATE (APR) (RMS)<br><b>11.75%</b>        |
|   |  | DATE INCURRED OR ESTABLISHED<br><b>4/21/92</b> | TYPE OF CREDIT<br><b>Revolving Line of Credit</b> |

*HAJ*

A. Has loan been restructured?  No  Yes If yes, date originally incurred: \_\_\_\_\_

B. If line of credit, amount of this draw: \$5,000.00; total outstanding balance: \$5,000.00

C. Are there parties secondarily liable for the debt incurred?  
 No  Yes (Endorsers 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 papers, stocks, accounts receivable, cash on deposit, or other similar traditional collateral?  
 No  Yes If yes, specify: \_\_\_\_\_  
What is the value of this collateral? \_\_\_\_\_

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 100.7(b)(11)(B) and 100.8(b)(12)(B). Date account established: \_\_\_\_\_ Location of account: \_\_\_\_\_

F. If neither of the types of collateral described above was pledged for this loan, or if the amount pledged does not equal or exceed the loan amount, state the basis upon which this loan was made and the basis on which it assures repayment.  
The FCL (personal credit line) dates back many years. Checks are written and then charged to the FCL account. Payments made on monthly basis.

|  |  |                            |
|--|--|----------------------------|
| A COMPLETE TREASURER<br>Edward Mendola, Treasurer<br>was was Judith Cap. Asst. Treasurer | Signature: <i>Edward Mendola</i><br>Signature: <i>Judith Cap</i> | DATE<br>9-14-93<br>9/14/93 |
|--|--|----------------------------|

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 rate) no more favorable at the time than those imposed for similar extensions of credit to other borrowers of comparable credit worthiness.

III. This institution is aware of the requirement that a loan must be made on a basis which assures repayment, and has complied with the requirements set forth at 11 CFR 100.7(b)(11) and 100.8(b)(12) in making this loan.

|   |   |                        |
|---|---|------------------------|
| AUTHORIZED REPRESENTATIVE<br><b>J. Affinito</b><br><i>J. Affinito</i> | TITLE<br><b>Banking Officer/Asst. Manager</b> | DATE<br><b>9-14-93</b> |
|---|---|------------------------|

97043773514



FORM 8871 (9-1)  
Federal Election Commission  
Washington, D.C. 20460

Supplementary for information  
found on Page 22 of Schedule C

**LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS**

|  |  |  |                                      |
|--|--|--|--------------------------------------|
| NAME OF BORROWER (IN FULL)<br><b>MASCARA FOR CONGRESS</b>  |  | FEB IDENTIFICATION NUMBER<br><b>C90263236</b>  |                                      |
| FULL NAME, ADDRESS AND ZIP CODE OF LENDING INSTITUTION (LENDER)<br><b>Nelson Bank MA<br/>Fifth and Fallowfield<br/>Charlottesville, PA 15022</b> |  | AMOUNT OF LOAN<br><b>\$2,000.00</b>            | INTEREST RATE (APR)<br><b>13.750</b> |
|  |  | DATE ACQUIRED OR ESTABLISHED<br><b>4/24/92</b> | DATE DUE<br><b>Per Month</b>         |

*Handwritten initials*

A. Has loan been restructured?  No  Yes If yes, date originally incurred: \_\_\_\_\_

B. If line of credit, amount of this draw: \$2,000.00 ; total outstanding balance \$7,000.00

C. Are other parties secondarily liable for the debt incurred?  
 No  Yes (Borrowers 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 papers, stocks, accounts receivable, cash on deposit, or other similar traditional collateral?  
 No  Yes If yes, specify: \_\_\_\_\_

What is the value of this collateral? \_\_\_\_\_

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 100.7(b)(11)(B) and 100.8(b)(12)(B). Date account established: \_\_\_\_\_ Location of account: \_\_\_\_\_

F. If neither of the types of collateral described above was pledged for this loan, or if the amount pledged does not equal or exceed the loan amount, state the basis upon which this loan was made and the basis on which it secures repayment.  
**The PCL (personal credit line) dates back many years. Checks are written and then charged to the PCL account. Payments made on monthly basis.**

G. General Treasurer: **Edward Mendola, Treasurer** *Edward Mendola* DATE: **9-14-93**  
Treasurer: **Judith Cap. Asst. Treasurer** *Judith Cap* DATE: **9/14/93**

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.  
E. The loan was made on terms and conditions (including interest rate) no more favorable at the time than those imposed for similar extensions of credit to other borrowers of comparable credit worthiness.  
III This institution is aware of the requirement that a loan must be made on a basis which secures repayment, and has complied with the requirements set forth at 11 CFR 100.7(b)(11) and 100.8(b)(12) in making this loan.

|  |   |                        |
|--|---|------------------------|
| AUTHORIZED REPRESENTATIVE<br><b>J. Affinito</b> <i>J. Affinito</i> | TITLE<br><b>Banking Officer/Asst. Manager</b> | DATE<br><b>9-16-93</b> |
|--|---|------------------------|

0704373515

PERSONAL CREDIT LINE

18220-7001  
800-237-2001

05/13

Important: This is not a bill.

H.A.J.

STATE & FEDERAL  
CALL CENTER  
CHALMERS PA 18022-1914

PERSONAL CREDIT LINE  
PERIOD ENDING 05/13/02

ACCOUNT NUMBER

3015052924

|                            |           |                                |           |
|----------------------------|-----------|--------------------------------|-----------|
| 05/21 SPECIAL CHECK 000128 | 45,000.00 | FOR PERIOD 04/14 - 05/13       |           |
| 06/24 SPECIAL CHECK 000130 | 02,000.00 | YOUR PREVIOUS BALANCE          | 00.00     |
|                            |           | LESS PAYMENTS RECEIVED         | 00.00     |
|                            |           | PLUS NEW BORROWINGS            | 07,000.00 |
|                            |           | FINANCE CHARGES                | 050.23    |
|                            |           | ENDING BALANCE                 | 07,050.23 |
|                            |           | THE AMOUNT AVAILABLE TO BORROW | 00,000.00 |
|                            |           |                                | 02,000.00 |

| PERIOD BEGINNING | PERIOD ENDING | Annual Percentage Rate | Periodic Rate % | Average Daily Balance |
|------------------|---------------|------------------------|-----------------|-----------------------|
| 07/01/01         | 05/13/02      | 13.75000               | .0379683        | 09,166.66             |

AMOUNT PAST DUE ♦ INTEREST DUE ♦ PRINCIPAL DUE --- AMOUNT DUE

00.00                      050.23                      0106.77                      0165.00

0165.00

THE PERIODIC RATE USED TO COMPUTE YOUR FINANCE CHARGE IS BASED ON A 365 DAY YEAR APPLIED OVER 30 DAYS THIS PERIOD.

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use spaces provided for each category of the Suggested Summary Page

PAGE 1 OF 1  
FORM LINE NUMBER  
134

1992 April Quarterly Report

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

NAME OF COMMITTEE OR FUND

MASCARA FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

Frank R. Mascara  
831 Lincoln Avenue  
Charlottesville Pa 15022

Receipt For:  Primary  General  
 Other Identify:

Name of Employer

Occupation

Date (month, day, year)

3-18-92

Amount of Each Receipt this Period

1,000.00

Aggregate Year-to-Date > 0

1,000.00

B. Full Name, Mailing Address and ZIP Code

Dolores Mascara  
831 Lincoln Avenue  
Charlottesville Pa 15022

Receipt For:  Primary  General  
 Other Identify:

Name of Employer

Occupation

Date (month, day, year)

3-27-92

Amount of Each Receipt this Period

1,000.00

Aggregate Year-to-Date > 0

1,000.00

C. Full Name, Mailing Address and ZIP Code

Receipt For:  Primary  General  
 Other Identify:

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt this Period

D. Full Name, Mailing Address and ZIP Code

Receipt For:  Primary  General  
 Other Identify:

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt this Period

E. Full Name, Mailing Address and ZIP Code

Receipt For:  Primary  General  
 Other Identify:

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt this Period

F. Full Name, Mailing Address and ZIP Code

Receipt For:  Primary  General  
 Other Identify:

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt this Period

G. Full Name, Mailing Address and ZIP Code

Receipt For:  Primary  General  
 Other Identify:

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional) .....

2,000.00

TOTAL For Period (see page 4 of the manual) .....

2,000.00

27043773517  
9201453759



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20541

NO-2

NOV 26 1993

Edward Mendola, Treasurer  
Mascara For Congress  
831 Lincoln Avenue  
Charleroi, PA 15022

Identification Number: C00263236

Reference: Amended July Quarterly Report (4/9/92-6/30/92),  
received 9/30/93

Dear Mr. Mendola:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule C-1 and names of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual, including a candidate's spouse, may not make contributions to a candidate for federal office in excess of \$1,000 per election. If the contributions or loans in question were secured by property based on joint assets, please clarify your report with the following information:

- the name and address of the lending institution
- the interest rate
- whether or not the loan was secured
- the due date or amortization schedule
- brief description of the collateral or property used as a basis for the loan
- the owners of the collateral or the property used as a basis for the loan
- the type of ownership of such property (e.g., tenants by the entireties, joint tenants, tenants in common, etc.)
- the percentage of such property owned by each owner
- value of such property
- the names of all signatories on both the security instrument and the commercial note
- the capacity in which each signatory signed (e.g., co-maker, endorser, guarantor)

93030681450

0704373518

HASCHKA FOR CONGRESS  
PAGE 2

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeds the limits, you should refund to the donor the amount in excess of \$1,000. Refunds must be made within sixty days of the treasurer's receipt of the contribution. Copies of refund checks may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on Schedule B of the report covering the period in which they are made. (11 CFR §§100.7, 100.8, 110.1, and 104.8(d)(4))

Although the Commission may take further legal steps, prompt action by you to refund the excessive amount will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3500.

Sincerely,

*Heather A. Toomey*

Heather Toomey  
Reports Analyst  
Reports Analysis Division

93043773519  
93038681459

**MEMORANDUM TO FILES:**

**DATE** 11/30/93

**TELECON**   x    
**VISIT**     

**NAME OF COMMITTEE:** Mascara For Congress

**SUBJECT:** OGC Referral

**FEC REP:** Heather A. Toomey

**COMMITTEE REP:** Edward Mendola (Treasurer)

The treasurer for Mascara For Congress committee called regarding the RFAI that his committee had received. I explained to the treasurer in great detail what was required of his committee in regards to the loans that the candidate's wife had guaranteed, but were excessive because the funds emanated from accounts that were jointly held. I further explained to the treasurer that he needed to provide the Commission with the percentage "breakdown" between the candidate and his wife of all assets that they held in common. The Treasurer stated that the candidate's wife never worked during her marriage and thus was not responsible for any income. I reminded the Treasurer that the accounts in question were joint accounts of both the candidate and his wife. The Treasurer said that he would supply the needed information as soon as possible.

970437355C

MASCARA FOR CONGRESS

831 Lincoln Avenue  
Charleroi, PA 15022

FRANK R. MASCARA

RECEIVED  
FEDERAL ELECT  
COMMISSION  
MAIL ROOM

Attachment 6  
Page 1 of 1

Dec 7 11 10 AM '93

December 2, 1993

Clerk of the House of Representatives  
1036 Longworth House Office Building  
Washington, DC 20515

Identification Number: C00263236

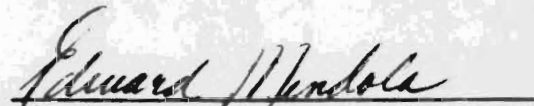
Reference: July Quarterly Report (4/9/92 - 6/30/92)

To Whom it May Concern:

This is in response to a letter from the Federal Election Commission concerning the above referenced report and to clarify the questions therein.

The candidate had submitted the requisite Schedule C-1 forms describing the loans which were secured during the report period. On that basis, the loans emanated from accounts jointly held by the candidate and the candidate's spouse. Having been married in excess of 35 years, all of the assets were a result of the income made by the candidate. The candidate's spouse has been a homemaker for all of their married life. The candidate is conservatively responsible for one hundred percent of all of the assets jointly held, and therefore, that percentage should be applied in viewing property used to secure the loan.

Yours truly,



Edward Mendola, Treasurer  
Mascara for Congress

**SCHEDULE A**

**ITEMIZED RECEIPTS**

1992 April Quarterly Report

Use separate column, 2-10 for each category of the Detailed Summary Page

TABLE 2-14  
FORM LINE NUMBER  
1101

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

NAME OF COMMITTEE OR FUND

**MASCARA FOR CONGRESS**

| A. Full Name, Mailing Address and ZIP Code  | Name of Employer   | Date Received, day, month, year | Amount of Each Receipt for Period |
|---|--|---------------------------------|-----------------------------------|
| Joni J. Ullrich<br>72 Locust Ave.<br>N. Chatham, Va. 22922<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (Specify):    | Occupation<br>Walt Whitaker<br>Aggregate Year-to-Date > 8  | 3-20-92<br>SEE US               | 500.00                            |
| Aida Bartolotta<br>1371 Houck St.<br>Monroeville, Pa. 15106-3<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (Specify): | Name of Employer<br>Staple & Sew. Hood<br>Market<br>Occupation<br>Owner<br>Aggregate Year-to-Date > 8          | 3-20-92<br>1,000.00             | 1,000.00                          |
| Eric Weed<br>708 E. Oakley<br>Washington, Pa. 15301<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (Specify):           | Name of Employer<br>Histor. Weed Law<br>Fund<br>Occupation<br>Attorney at Law<br>Aggregate Year-to-Date > 8    | 3-20-92                         | 300.00                            |
| Jack J. Constantino<br>508 Clubview Sq.<br>McMurry, Pa. 15317<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (Specify): | Name of Employer<br>Catholic Distribution<br>League<br>Occupation<br>Businessman<br>Aggregate Year-to-Date > 8 | 3-20-92                         | 500.00                            |
| Adeline Alvarez<br>384 Helen Avenue<br>Monroeville, Pa. 15062<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (Specify): | Name of Employer<br>Occupation<br>Nurse<br>Aggregate Year-to-Date > 8  | 3-27-92                         | 1,000.00                          |
| Marie J. Hunsler<br>25 Duhamel Drive<br>Greensburg, Pa. 15601<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (Specify): | Name of Employer<br>Occupation<br>Nurse<br>Aggregate Year-to-Date > 8  | 4-6-92                          | 300.00                            |
| W. Lynn<br>11 East<br>Washington, Pa. 15301<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (Specify):                   | Name of Employer<br>Occupation<br>Attorney at Law<br>Aggregate Year-to-Date > 8                                | 4-6-92                          | 500.00                            |

920144537372

Continuation of Schedule 700 (Form 1992)



SCHEDULE A

ITEMIZED RECEIPTS

1992 April Quarterly Report

Use separate schedule for:  
Dividends and interest  
Deductions from income  
Deductions from capital gains

Any information missing from each receipt and statements may not be valid or used by any person for the purpose of establishing credit, deduction, or other tax benefit, other than using the name and address of any business' organization to which contributions are made by such contributor.

NAME OF CONTRIBUTOR - Full

*ITM: Maria J. for Congress*

A. Full Name, Mailing Address and ZIP Code  
*CAROLIS S. COMPANY, J. DOMOLTA,  
3925 HORTSWOOD DR. DC  
ALLISON PARK, PA 15101*

Name of Employer  
*N/A*  
Occupation  
*HOME MAKER*  
Approximate Year-to-Date  
*> \$1,000.00*

Date (month, day, year)  
*4-9-92*  
Amount of Each Receipt This Period  
*1,000.00*

B. Full Name, Mailing Address and ZIP Code  
*ANTHONY P. DE JULIUS  
300 WYMAN PLAZA, SUITE 160  
PITTSBURGH, PA 15236*

Name of Employer  
*DeJulius & Talarzi*  
Occupation  
*C.P.A.*  
Approximate Year-to-Date  
*> \$1,000.00*

Date (month, day, year)  
*4-9-92*  
Amount of Each Receipt This Period  
*1,000.00*

C. Full Name, Mailing Address and ZIP Code  
*JOHN F. COMBEST  
70 W. 21ST STREET  
PITTSBURGH, PA 15219*

Name of Employer  
*DOUGLAS, KEENEY & COMBEST (P.A.)*  
Occupation  
*ATTORNEY*  
Approximate Year-to-Date  
*> \$1,000.00*

Date (month, day, year)  
*4-9-92*  
Amount of Each Receipt This Period  
*1,000.00*

D. Full Name, Mailing Address and ZIP Code  
*PAUL & MARILYN APOSTOLAKOS  
3345 LOMONACHI ROAD  
PITTSBURGH, PA 15244*

Name of Employer  
*SELF*  
Occupation  
*ARCHITECT*  
Approximate Year-to-Date  
*> \$1,000.00*

Date (month, day, year)  
*4-9-92*  
Amount of Each Receipt This Period  
*1,000.00*

E. Full Name, Mailing Address and ZIP Code  
*JAMES R. AGRAS  
93 LEBANON HILLS DRIVE  
PITTSBURGH, PA 15228*

Name of Employer  
*DIAGNOSTIC TECH*  
Occupation  
*OWNER*  
Approximate Year-to-Date  
*> \$1,000.00*

Date (month, day, year)  
*4-9-92*  
Amount of Each Receipt This Period  
*1,000.00*

F. Full Name, Mailing Address and ZIP Code  
*ELECTRA AGRAS  
93 LEBANON HILLS DRIVE  
PITTSBURGH, PA 15228*

Name of Employer  
*N/A*  
Occupation  
*HOME MAKER*  
Approximate Year-to-Date  
*> \$1,000.00*

Date (month, day, year)  
*4-9-92*  
Amount of Each Receipt This Period  
*1,000.00*

G. Full Name, Mailing Address and ZIP Code  
*MARION MILLER  
176 ARMOUR DRIVE  
WASHINGTON, PA 15002*

Name of Employer  
*N/A*  
Occupation  
*HOME MAKER*  
Approximate Year-to-Date  
*> \$1,000.00*

Date (month, day, year)  
*4-9-92*  
Amount of Each Receipt This Period  
*1,000.00*

TOTAL of Receipts This Page (optional) ..... *7,000.00*  
TOTAL This Period (sum above plus line number only) .....

7-7-92

SCHEDULE A

ITEMIZED RECEIPTS

1992 July Quarterly Report

The amount reported for each category of the United Country R.

PAGE 9116  
FORM LINE 21 JAN 88  
11941

Any information omitted from each figure and document may not be used or used by any person for the purpose of making contributions or for commercial purposes, other than using the name and address of any political organization to solicit contributions from such contributors.

NAME OF CONTRIBUTOR IN FULL

MASCARA FOR CONGRESS

| a. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt (this Period) |
|--|---|-------------------------|--------------------------------------|
| Ronald V. Pellegrini M.D.<br>100 Broadway Avenue<br>Carnegie PA 15106<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other Identify: | - SELF -<br>Occupation: <u>Medical Doctor</u><br>Aggregate Year-to-Date: <u>1000</u>  | 4-16-92                 | 1000.00                              |
| Henry & Rebecca Garfink<br>604 Highland Avenue<br>Lemonsburg PA<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other Identify:       | Name of Employer: <u>The Walters Book #3</u><br>Occupation: <u>Printer/Book Agent</u><br>Aggregate Year-to-Date: <u>100.00</u>      |                         |                                      |
| Judy Ansili<br>217 1/2 St. ...<br>California PA 15414<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other Identify:                 | Name of Employer: <u>Gallatin Bank</u><br>Occupation: <u>Vice President</u><br>Aggregate Year-to-Date: <u>300.00</u>                | 4-16-92                 | 300.00                               |
| Tony & Norma Pysz<br>Box 103<br>Mariaville PA 15345<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other Identify:                   | Name of Employer: <u>Retired</u><br>Occupation:<br>Aggregate Year-to-Date: <u>250.00</u>  | 4-17-92                 | 250.00                               |
| Gary & Cheryl Sweet<br>1221 Gobby Avenue<br>Washington PA 15301<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other Identify:       | Name of Employer: <u>SRP - EMPLOYED</u><br>Occupation: <u>Electrician</u><br>Aggregate Year-to-Date: <u>250.00</u>                  | 4-17-92                 | 250.00                               |
| Thomas R. Wiley<br>404 South Main Street<br>Washington PA 15301<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other Identify:       | Name of Employer: <u>Thomas Wiley &amp; Sons, Inc.</u><br>Occupation: <u>SELF-EMPLOYED</u><br>Aggregate Year-to-Date: <u>300.00</u> | 4-17-92                 | 300.00                               |
| Dennis & Lynn Stodie<br>RD #1 Box 91-A<br>Frederic, PA 15333<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other Identify:          | Name of Employer: <u>Stodie's Business Systems</u><br>Occupation: <u>Business Man</u><br>Aggregate Year-to-Date: <u>500.00</u>      | 4-17-92                 | 500.00                               |

(SUBTOTAL of Receipts This Page (optional) ..... 3100.00

TOTAL THE FUND THIS PAGE AND THE OTHER PAGES

92014553415

**SCHEDULE A ITEMIZED RECEIPTS**

Use separate self-drafted for each category of the Detailed Summary Page

PAGE 4  
FOR LINE NUMBER 1100

1992 October Quarterly Report

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

NAME OF COMMITTEE TO FUND

**MASCARA FOR CONGRESS**

| A. Full Name, Mailing Address and ZIP Code  | Name of Employer                 | Date (month, day, year) | Amount of Each Receipt This Period |
|---|----------------------------------|-------------------------|------------------------------------|
| Ronald V. Pellegrini, M.D.<br>10C Broadway Avenue<br>Carnegie, PA 15106   | Self                             |                         |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation<br>Medical Doctor     | 7/24/92                 |                                    |
|   | Aggregate Year-to-Date           | \$2,000.00              | \$1,000.00                         |
| B. Full Name, Mailing Address and ZIP Code  | Name of Employer                 | Date (month, day, year) | Amount of Each Receipt This Period |
| Aida Bartolotta<br>1371 Fourth Street<br>Monongahela, PA 15063  | Self                             |                         |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation<br>Businessman        | 7/27/92                 |                                    |
|   | Aggregate Year-to-Date           | \$1,300.00              | \$ 300.00                          |
| C. Full Name, Mailing Address and ZIP Code  | Name of Employer                 | Date (month, day, year) | Amount of Each Receipt This Period |
| David T. Aloe<br>615 Academy Avenue<br>Sewickley, PA 15143  | (Self)                           |                         |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation<br>Businessman        | 8/11/92                 |                                    |
|   | Aggregate Year-to-Date           | \$ 1,000.00             | \$ 500.00                          |
| D. Full Name, Mailing Address and ZIP Code  | Name of Employer                 | Date (month, day, year) | Amount of Each Receipt This Period |
| Melvin B. Bassi<br>801 Lawrence Street<br>Monongahela, PA 15063   | Self                             |                         |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation<br>Attorney           | 8/12/92                 |                                    |
|   | Aggregate Year-to-Date           | \$ 1,000.00             | \$ 500.00                          |
| E. Full Name, Mailing Address and ZIP Code  | Name of Employer                 | Date (month, day, year) | Amount of Each Receipt This Period |
| Mendola Associates<br>321 Fallowfield Avenue<br>Charleroi, PA 15022   | Self                             |                         |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation<br>Accounting Firm    | 8/18/92                 |                                    |
|   | Aggregate Year-to-Date           | \$ 300.00               | \$ 300.00                          |
| F. Full Name, Mailing Address and ZIP Code  | Name of Employer                 | Date (month, day, year) | Amount of Each Receipt This Period |
| Jack T. Constantino<br>508 Clubview Drive<br>McMurray, PA 15317   | Collection Distribution Services |                         |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation<br>Businessman        | 8/25/92                 |                                    |
|   | Aggregate Year-to-Date           | \$ 1,000.00             | \$ 500.00                          |
| G. Full Name, Mailing Address and ZIP Code  | Name of Employer                 | Date (month, day, year) | Amount of Each Receipt This Period |
| John F. Cambost<br>1001 Ardmore Boulevard<br>Pittsburgh, PA 15221   | Dodaro, Kennedy & Cambost (Self) |                         |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation<br>Attorney           | 8/21/92                 |                                    |
|   | Aggregate Year-to-Date           | \$ 1,250.00             | \$ 250.00                          |

SUBTOTAL of Receipts This Page (optional)

\$3,350.00

TOTAL This Period (This page and Schedule A-1)

**PRIMARY ELECTION**

**REPORT NOTICE**

**FEDERAL ELECTION COMMISSION**

**PENNSYLVANIA**  
Congressional Committees

March 23, 1992

**FOR COMMITTEES INVOLVED IN THE PRIMARY (04/28):**

| REPORT          | REPORTING PERIOD      | REG./CERT.<br>MAILING<br>DATE* | FILING<br>DATE |
|-----------------|-----------------------|--------------------------------|----------------|
| Pre-Primary     | 04/01/92 - 04/08/92** | 04/13/92                       | 04/16/92       |
| 48 Hour Notices | -----See Below-----   |                                |                |
| July Quarterly  | 04/09/92 - 06/30/92   | 07/15/92                       | 07/15/92       |

**WHO MUST FILE**

Principal campaign committees of congressional candidates (including unopposed candidates) who seek nomination in the primary must file the above reports and notices. If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 32.

**48 HOUR NOTICES ON CONTRIBUTIONS**

Notices are required if the committee receives contributions (including contributions and loans from the candidate's personal funds; and endorsements or guarantees of bank loans) of \$1,000 or more, during the period of April 9 through April 25. The notices must reach the appropriate federal and state filing offices within 48 hours of the committee's receipt of the contribution(s).

**LABEL**

Affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

**COMPLIANCE**

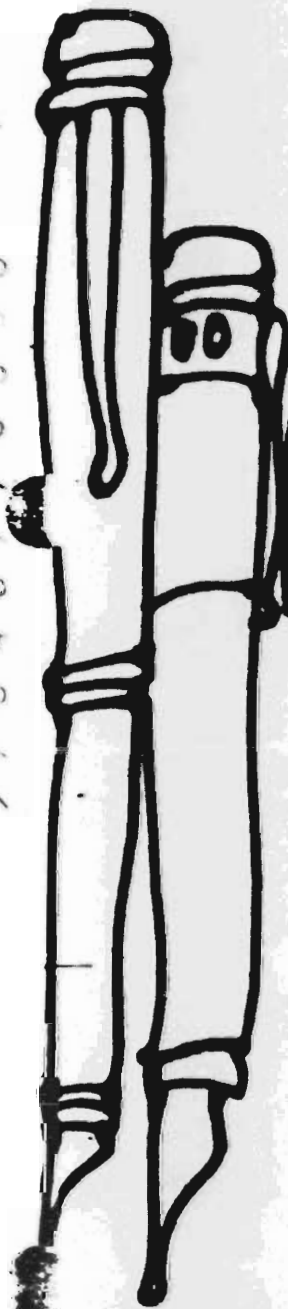
TREASURERS ARE RESPONSIBLE FOR FILING ALL REPORTS AND 48 HOUR NOTICES ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES USING NON-FEC FORMS FOR REPORTS OR FILING ILLEGIBLE REPORTS OR NOTICES WILL BE REQUIRED TO REFILE.

\*Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

\*\*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

97043773556



**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedule for each category of the Detailed Summary Page

PAGE 11 OF 16  
FOR LINE NUMBER 11e i

1992 July Quarterly Report

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

NAME OF COMMITTEE (in Full)

**NASCARA FOR CONGRESS**

93643073557

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
|--|--|-------------------------|------------------------------------|
| Thomas Lechner<br>115 Guenivere Drive<br>Pittsburgh, PA 15237  | R.R.Z. G Holdings  | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Vice President<br>Aggregate Year-to-Date > 8             | 1000.00                 |                                    |
| B. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| N. John Cunzolo<br>Four North Shore Center<br>Pittsburgh, PA 15212   | N.J.C. Associates, Inc.  | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Architect<br>Aggregate Year-to-Date > 8                  | 1000.00                 |                                    |
| C. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Robert D. & Karen A. Clinton, Jr.<br>118 Volleyview Drive RD#5<br>Mars, PA 16046   | American Telecom   | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Vice-Pres.-Sales<br>Aggregate Year-to-Date > 8           | 1000.00                 |                                    |
| D. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| John N. & Lois S. Milberger<br>113 15th Street<br>Oakmont, PA 15139  | Chester Engineers  | 4-9-92                  | 300.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Engineer<br>Aggregate Year-to-Date > 8                   | 300.00                  |                                    |
| E. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Richard A. Zappola<br>5564 Nylesboro Avenue<br>Pittsburgh, PA 15217  | The First City Company   | 4-9-92                  | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Real Estate Broker<br>Aggregate Year-to-Date > 8         | 500.00                  |                                    |
| F. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Jack K. Norris<br>Real Estate Acquisitions/Developer<br>489 4th Avenue, 18th Floor Building<br>Pittsburgh, PA 15219                    | - self -   | 4-9-92                  | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Real Estate Consultant<br>Aggregate Year-to-Date > 8     | 500.00                  |                                    |
| G. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Carol A. Parvot<br>100 Greentree Commons<br>221 Innisfield Ave.<br>Pittsburgh, PA 15220  | Allegheny Media  | 4-9-92                  | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Investment General Partner<br>Aggregate Year-to-Date > 8 | 500.00                  |                                    |

**SUBTOTAL** of Receipts This Page (split only) ..... 11800.00

**TOTAL** This Period (entire page plus line number only) .....

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule(s) for each category of the Detailed Summary Page  
PAGE OF 2116  
FORM LINE NUMBER 11a

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

NAME OF COMMITTEE (in Full)  
MASCARA FOR CONGRESS

97043773558  
5052853

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
|--|--|-------------------------|------------------------------------|
| James C. Lorenzi<br>445 Winner Wood Road<br>Pittsburgh, PA. 15237  | - Self -   | 4-9-92                  | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Architect-Engineer<br>Aggregate Year-to-Date: \$ 500.00  |                         |                                    |
| Julius J. Lorenzi<br>200 White Hampton Lane<br>Pittsburgh, PA. 15236   | - Self -   | 4-9-92                  | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Architect-Engineer<br>Aggregate Year-to-Date: \$ 500.00  |                         |                                    |
| J. Brocken + Kathryn Burns<br>55 East Wood Lane<br>Washington, PA. 15301   | Washington County<br>EMS   | 4-9-92                  | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Director<br>Aggregate Year-to-Date: \$ 500.00            |                         |                                    |
| Charles F. + Laura Welker<br>253 Mt. Vernon Avenue<br>Export, PA. 15632  | Neilan Engineers   | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Engineer<br>Aggregate Year-to-Date: \$ 1000.00           |                         |                                    |
| Thomas J. + Christine Santore<br>813 Fidgefield Avenue<br>Pittsburgh, PA. 15216  | Cindrich + Titus, PC   | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Attorney<br>Aggregate Year-to-Date: \$ 1000.00           |                         |                                    |
| C. Andrew Russell<br>Two North Shore Center<br>Pittsburgh, PA. 15212   | Russell, Kca, Zippala<br>+ Gomulka Holdings                          | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Investment Partner<br>Aggregate Year-to-Date: \$ 1000.00 |                         |                                    |
| Janice A. Rea<br>10500 Old Villa Drive<br>Gibsonia, PA. 15114  | N/A  | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Homemaker<br>Aggregate Year-to-Date: \$ 1000.00          |                         |                                    |

SUBTOTAL of Receipts This Page (optional) ..... 5,500.00

TOTAL This Period (last page this line number only) .....

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedules for each category of the Detailed Summary Page

PAGE 3 OF 16  
FOR LINE NUMBER 11a1

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

NAME OF COMMITTEE (in Full)

**NASCARA FOR CONGRESS**

| Full Name, Mailing Address and ZIP Code  | Name of Employer   | Date (month, day, year) | Amount of Each Receipt This Period |
|--|--|-------------------------|------------------------------------|
| Donald E. Rea<br>2 North Shore Center<br>Pittsburgh, Pa. 15212<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | Russell, Rea, Zippin<br>Gamulka Holdings<br>Occupation: Partner<br>Aggregate Year-to-Date > \$ 1000.00 | 4-9-92                  | 1000.00                            |
| Thomas J. Murphy<br>616 Berkshire Drive<br>Pittsburgh, PA. 15215<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                                       | Jendaco Construction<br>Occupation: President<br>Aggregate Year-to-Date > \$ 1000.00                   | 4-9-92                  | 1000.00                            |
| Thomas F. Mosure<br>333 Verdant Lane<br>Confield, OH 44406<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | M.S. Consultants<br>Occupation: President<br>Aggregate Year-to-Date > \$ 1000.00                       | 4-9-92                  | 1000.00                            |
| Robert J. Deborah H. McGurk<br>448 Bissett Drive<br>Bethel Park, PA. 15102<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                             | E.J. DeBartolo Corp.<br>Occupation: Regional Devl. Director<br>Aggregate Year-to-Date > \$ 1000.00     | 4-9-92                  | 1000.00                            |
| Neal H. Holmes<br>2940 Library Road<br>Pittsburgh, PA. 15234<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | Allied Security<br>Occupation: C.E.O.<br>Aggregate Year-to-Date > \$ 1000.00                           | 4-9-92                  | 1000.00                            |
| Joseph F. Giachmal<br>Attorney at Law<br>1404 Allegheny Tower, 125 Stanwix St<br>Pittsburgh, PA. 15222<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Fried, Kane, Whittier<br>+ Zusehlag<br>Occupation: Attorney<br>Aggregate Year-to-Date > \$ 1000.00     | 4-9-92                  | 1000.00                            |
| Charles A. Deborah J. Gamulka<br>3925 Horseshoe Drive<br>Wilson Park, PA. 15101<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                        | Russell, Rea, Zippin<br>Gamulka Holdings<br>Occupation: C.P.A.<br>Aggregate Year-to-Date > \$ 1000.00  | 4-9-92                  | 1000.00                            |

**TOTAL of Receipts This Page (optional)** ..... 7,000.00

**TOTAL This Period (on page this line number only)** .....

0 7 0 4 3 0 5 2 2 0 9

1992 July Quarterly Report  
ITEMIZED RECEIPTS

SCHEDULE A

Use separate schedule for each category of the Detailed Summary Page

PAGE 4 OF 16  
FOR LINE NUMBER 110

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

NAME OF COMMITTEE (in Full)

NASCARA FOR CONGRESS

9301502330

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
|--|--|-------------------------|------------------------------------|
| Charles A. - Deborah J. Gornulka<br>3925 Hartswood Drive<br>Allison Park, PA. 15101  | N/A  | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Homemaker<br>Aggregate Year-to-Date > \$ 1000.00 |                         |                                    |
| B. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Anthony P. DeJulius<br>300 Weyman Plaza, suite 160<br>Pittsburgh, PA. 15236  | DeJulius - Talenti   | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: C.P.A.<br>Aggregate Year-to-Date > \$ 1000.00    |                         |                                    |
| C. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| John F. Cornbest<br>Attorney at Law<br>707 Grant St.<br>Pittsburgh, PA. 15219  | Dodaro, Kenneth<br>Cornbest (self)                           | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Attorney<br>Aggregate Year-to-Date > \$ 1000.00  |                         |                                    |
| D. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Paul + Marilyn Apostolou<br>3015 Lomanchi Road<br>Pittsburgh, PA. 15241  | Apostolou Associates<br>(Self)                               | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Architect<br>Aggregate Year-to-Date > \$ 1000.00 |                         |                                    |
| E. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| James R. Agras<br>73 Lebanon Hills Drive<br>Pittsburgh, PA. 15228  | Triangle Tech  | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Owner<br>Aggregate Year-to-Date > \$ 1000.00     |                         |                                    |
| F. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Electra P. Agras<br>73 Lebanon Hills Drive<br>Pittsburgh, PA. 15228  | N/A  | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Homemaker<br>Aggregate Year-to-Date > \$ 1000.00 |                         |                                    |
| G. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
| Maxine Miller<br>116 Armour Drive<br>Washington, PA. 15301   | N/A  | 4-9-92                  | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Homemaker<br>Aggregate Year-to-Date > \$ 1000.00 |                         |                                    |

SUBTOTAL of Receipts This Page (options): ..... 7,000.00

TOTAL This Period (for page this line number only): .....



MODULE A

ITEMIZED RECEIPTS

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

PAGE 5 of 16  
FOR LINE NUMBER 11a

1992 July Quarterly Report

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

NAME OF COMMITTEE (in Full)

MASCARA FOR CONGRESS

9704347356  
23015052352

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
|--|---|-------------------------|------------------------------------|
| Arthur J. Bedway<br>9 Revere Road<br>Roslyn Farms, Pa. 15106<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | Bedway Security<br>Occupation: C.E.O. Chimney of Board<br>Aggregate Year-to-Date > \$ 1000.00                                 | 4-9-92                  | 1000.00                            |
| VOID   |   |                         | 0                                  |
| C. Full Name, Mailing Address and ZIP Code<br>T.R. Milhollan,<br>P.O. Box 711<br>Washington, Pa. 15301<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                                   | Retired<br>Occupation: Businessman<br>Aggregate Year-to-Date > \$ 500.00  | 4-9-92                  | 500.00                             |
| D. Full Name, Mailing Address and ZIP Code<br>William T. + Elizabeth H. Todd II<br>288 Green Valley Road Row 3<br>Eighty-Four, PA. 15330<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Fairmont Supply<br>Occupation: President<br>Aggregate Year-to-Date > \$ 250.00  | 4-9-92                  | 250.00                             |
| E. Full Name, Mailing Address and ZIP Code<br>Sara S. + Sophia Zacharias<br>777 Volneyview Road<br>Pittsburgh, Pa. 15243<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Russell, Kica, Zippola + Gomulka Holdings<br>Occupation: C.L.U.<br>Aggregate Year-to-Date > \$ 250.00                         | 4-10-92                 | 250.00                             |
| F. Full Name, Mailing Address and ZIP Code<br>Charles + Pamela Zippola<br>91 Woodland Drive<br>Pittsburgh, Pa. 15217-2144<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                | Fussell, Kica, Zippola + Gomulka Holdings<br>Occupation: Investment Partner - President<br>Aggregate Year-to-Date > \$ 500.00 | 4-10-92                 | 500.00                             |
| G. Full Name, Mailing Address and ZIP Code<br>Charles + Pamela Zippola<br>91 Woodland Drive<br>Pittsburgh, Pa. 15217-2144<br>Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                | N/A<br>Occupation: Homemaker<br>Aggregate Year-to-Date > \$ 750.00  | 4-10-92                 | 750.00                             |

PAJ

SUBTOTAL of Receipts This Page (optional) ..... 3,250.00

TOTAL This Period (last page this line number only) .....

**SCHEDULE A**

**ITEMIZED RECEIPTS**  
1992 July Quarterly Report

Use separate schedule for each category of the Detailed Summary Page

PAGE 6 OF 16  
FOR LINE NUMBER 11a

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

NAME OF COMMITTEE (in Full)

**NASCARA FOR CONGRESS**

97043773512  
930150

447

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer                                    | Date (month, day, year) | Amount of Each Receipt this Period |
|--|---|-------------------------|------------------------------------|
| Anthony + Dora Jean Vitale<br>330 Williamsburg Court<br>Nevillewood<br>Presto, PA. 15142   | Westmoreland Engineering<br>Occupation: Engineer    | 4-10-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$                         | 1000.00                 |                                    |
| B. Full Name, Mailing Address and ZIP Code   | Name of Employer                                    | Date (month, day, year) | Amount of Each Receipt this Period |
| Thomas Stockhausen<br>295 Magnolia Place<br>Pittsburgh, PA. 15228  | G.E. Maguire, Jr.<br>Occupation: Vice President     | 4-10-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$                         | 1000.00                 |                                    |
| C. Full Name, Mailing Address and ZIP Code   | Name of Employer                                    | Date (month, day, year) | Amount of Each Receipt this Period |
| Joseph + Regina M. Salvucci<br>300 Sixth Avenue, Suite 400<br>Pittsburgh, PA. 15222  | S.E.I. Engineers<br>Occupation: Chairman            | 4-10-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$                         | 1000.00                 |                                    |
| D. Full Name, Mailing Address and ZIP Code   | Name of Employer                                    | Date (month, day, year) | Amount of Each Receipt this Period |
| Mary Ann Barry<br>401 Wickford Drive<br>Pittsburgh, PA. 15238  | KPMG feat Morwick<br>Occupation: Accountant         | 4-10-92                 | 300.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$                         | 300.00                  |                                    |
| E. Full Name, Mailing Address and ZIP Code   | Name of Employer                                    | Date (month, day, year) | Amount of Each Receipt this Period |
| Gigi Corilli<br>2474 Stadium Road<br>Greensburg, PA 15601  | GBC Associates<br>Occupation: Businessman           | 4-10-92                 | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$                         | 500.00                  |                                    |
| F. Full Name, Mailing Address and ZIP Code   | Name of Employer                                    | Date (month, day, year) | Amount of Each Receipt this Period |
| Stephen + Janice Hall<br>142 Sunset Drive<br>Washington, PA. 15301   | Washington County<br>Occupation: Administrator      | 4-13-92                 | 400.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$                         | 400.00                  |                                    |
| G. Full Name, Mailing Address and ZIP Code   | Name of Employer                                    | Date (month, day, year) | Amount of Each Receipt this Period |
| Cecilia Furdus + Frank Lignelli<br>3050 O'Hara Place<br>Orney, PA 15082  | Inland Realty Co.<br>Occupation: Real Estate Broker | 4-13-92                 | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date > \$                         | 500.00                  |                                    |

SUBTOTAL of Receipts This Page (specify):

4,700.00

TOTAL This Period (see page 11b for number only)

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedules for each category of the Detailed Summary Page

PAGE 10 OF 16  
FOR LINE NUMBER 11a

1992 Amended July Quarterly Report

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

NAME OF COMMITTEE (in Full)

**MASCARA FOR CONGRESS**

7  
3  
5  
4  
3  
0  
3  
0  
3  
0  
0

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
|--|---|-------------------------|------------------------------------|
| John M. & Mary Helen Maddigan<br>1030 Summer Place<br>Pittsburgh, PA. 15243  | Maddigan Communications<br>- Self-Employed -<br>Occupation: President | 4-17-92                 | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date: \$ 500.00                                     |                         |                                    |
| Dennis P. Moran<br>1063 Summer Place<br>Pittsburgh PA. 15243   | Moran Design<br>- Self-Employed -<br>Occupation: Graphic Designer     | 4-17-92                 | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date: \$ 500.00                                     |                         |                                    |
| Charles S. Ayer<br>66 Emerald Drive<br>Washington PA. 15301  | P.J. Dick/Trumbull Corp.<br>Occupation: Vice Pres - Marketing         | 4-17-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date: \$ 1000.00                                    |                         |                                    |
| Antonella Cerilli<br>2173 Skidmore Rd.<br>Greensburg, PA. 15601  | N/A<br>Occupation: Homeowner  | 4-10-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date: \$ 1000.00                                    |                         |                                    |
| John M. Grotton<br>5325 Wilkins Avenue<br>Pittsburgh, PA. 15217  | The EMAS Group<br>Occupation: Businessperson                          | 4-20-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date: \$ 1000.00                                    |                         |                                    |
| Edwird J. Grotton<br>718 South American<br>Pittsburgh, PA. 15221   | The EMAS Group<br>Occupation: Businessperson                          | 4-20-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date: \$ 1000.00                                    |                         |                                    |
| Melvin R. & William M. Bossi<br>801 Lawrence Street<br>Pittsburgh, PA. 15203   | Bossi - Associates<br>- Self-Employed -<br>Occupation: Attorney       | 4-21-92                 | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Aggregate Year-to-Date: \$ 500.00                                     |                         |                                    |

SUBTOTAL of Receipts This Page (optional) ..... 5,500.00

TOTAL This Period (fill page with line number only) .....

MODULE A

ITEMIZED RECEIPTS

1992 Amended July Quarterly Report

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

PAGE 111 OF 111  
FOR LINE NUMBER 11c

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

NAME OF COMMITTEE On Full

NASCARA FOR CONGRESS

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer | Date (month, day, year)             | Amount of Each Receipt this Period |
|--|------------------|-------------------------------------|------------------------------------|
| Integra Financial PAC<br>1111 S Wood Street<br>Pittsburgh, PA 15222  |                  | 4-9-92                              | 200.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       | Aggregate Year-to-Date > \$ 200.00  |                                    |
| B. Full Name, Mailing Address and ZIP Code   | Name of Employer | Date (month, day, year)             | Amount of Each Receipt this Period |
| RRZ PAC<br>CNG Tower, Suite 3100<br>615 Liberty Avenue<br>Pittsburgh, PA 15222   |                  | 4-9-92                              | 5000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       | Aggregate Year-to-Date > \$ 5000.00 |                                    |
| C. Full Name, Mailing Address and ZIP Code   | Name of Employer | Date (month, day, year)             | Amount of Each Receipt this Period |
|  |                  |                                     |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):            | Occupation       | Aggregate Year-to-Date > \$         |                                    |
| D. Full Name, Mailing Address and ZIP Code   | Name of Employer | Date (month, day, year)             | Amount of Each Receipt this Period |
|  |                  |                                     |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):            | Occupation       | Aggregate Year-to-Date > \$         |                                    |
| E. Full Name, Mailing Address and ZIP Code   | Name of Employer | Date (month, day, year)             | Amount of Each Receipt this Period |
|  |                  |                                     |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):            | Occupation       | Aggregate Year-to-Date > \$         |                                    |
| F. Full Name, Mailing Address and ZIP Code   | Name of Employer | Date (month, day, year)             | Amount of Each Receipt this Period |
|  |                  |                                     |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):            | Occupation       | Aggregate Year-to-Date > \$         |                                    |
| G. Full Name, Mailing Address and ZIP Code   | Name of Employer | Date (month, day, year)             | Amount of Each Receipt this Period |
|  |                  |                                     |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):            | Occupation       | Aggregate Year-to-Date > \$         |                                    |

99 87 14530/5723357

SUBTOTAL of Receipts This Page (optional) ..... 5200.00

TOTAL This Period (last page this line number only) ..... 5200.00

**SCHEDULE A**

**ITEMIZED RECEIPTS**

Use separate schedules for each category of the Detailed Summary Page

PAUL U  
FOR LINE NUMBER  
116  
136

1992 July Quarterly Report

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

NAME OF COMMITTEE (in Full)

**MASCARA FOR CONGRESS**

9930430772951

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer                   | Date (month, day, year) | Amount of Each Receipt this Period |
|--|------------------------------------|-------------------------|------------------------------------|
| Jon Mascara<br>831 Lincoln Ave.<br>Charlertoi, PA. 15022   | Commonwealth of Pennsylvania       |                         |                                    |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Auditor                | 4-9-92                  |                                    |
|  | Aggregate Year-to-Date > 8         | 1000.00                 | 1000.00                            |
| B. Full Name, Mailing Address and ZIP Code   | Name of Employer                   | Date (month, day, year) | Amount of Each Receipt this Period |
| Frank R. Mascara<br>831 Lincoln Ave.<br>Charlertoi, PA.  | Washington County PA.              |                         |                                    |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Candidate              | 4-9-92                  |                                    |
|  | Aggregate Year-to-Date > 8         | 2000.00                 | 1000.00                            |
| C. Full Name, Mailing Address and ZIP Code   | Name of Employer                   | Date (month, day, year) | Amount of Each Receipt this Period |
| Louis Lignelli<br>223 Stonebrook Drive<br>McMurray, PA. 15317  | Washington County PA.              |                         |                                    |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Dir. of Administration | 11-9-92                 |                                    |
|  | Aggregate Year-to-Date > 8         | 1000.00                 | 1000.00                            |
| D. Full Name, Mailing Address and ZIP Code   | Name of Employer                   | Date (month, day, year) | Amount of Each Receipt this Period |
| Dorlene Lignelli<br>- SAME -   | Boyd SCHOOL                        |                         |                                    |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Educator               | 11-9-92                 |                                    |
|  | Aggregate Year-to-Date > 8         | 1000.00                 | 1000.00                            |
| E. Full Name, Mailing Address and ZIP Code   | Name of Employer                   | Date (month, day, year) | Amount of Each Receipt this Period |
| Mark E. Mascara<br>25 W. Brau Street<br>Washington, Pa. 75301  | Self                               |                         |                                    |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Attorney               | 4-13-92                 |                                    |
|  | Aggregate Year-to-Date > 8         | 300                     | 300.00                             |
| F. Full Name, Mailing Address and ZIP Code   | Name of Employer                   | Date (month, day, year) | Amount of Each Receipt this Period |
| Mark E. Mascara<br>- SAME -  | Self                               |                         |                                    |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Attorney               | 4-13-92                 |                                    |
|  | Aggregate Year-to-Date > 8         | 1000                    | 700.00                             |
| G. Full Name, Mailing Address and ZIP Code   | Name of Employer                   | Date (month, day, year) | Amount of Each Receipt this Period |
| Christine S. Dallatore<br>490 F Moore Road<br>Washington, Pa. 15301  | Washington County                  |                         |                                    |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Chief-Clerk            | 11-14-92                |                                    |
|  | Aggregate Year-to-Date > 8         | 1000                    | 1000.00                            |

MAJ

SUBTOTAL of Receipts This Page (include) ..... 6,000.00

TOTAL This Period (last page this line number only) .....

**SCHEDULE A** **ITEMIZED RECEIPTS**  
1992 July Quarterly Report

Use separate schedule for each category of the Detailed Summary Page

PAGE 216  
OF 136  
FOR LINE NUMBER 136

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

NAME OF COMMITTEE (in Full)  
**MASCARA FOR CONGRESS**

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
|--|---|-------------------------|------------------------------------|
| John Milberger,<br>713 15th St.<br>Oriskany, PA. 15139   | Chester Engineers   | 4-15-92                 | 500.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Engineers<br>Aggregate Year-to-Date > \$ 500.00                       |                         |                                    |
| B. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
| Margaret Emery<br>218 Belmont Avenue<br>Canonsburg, PA. 15317  | Retired   | 11-16-92                | 800.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Educator<br>Aggregate Year-to-Date > \$ 800.00                        |                         |                                    |
| C. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
| Robert Neil<br>P.O. #1 Box 57305<br>Charlottesville, PA. 15022   | Washington County PA  | 4-16-92                 | 950.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Tax Assn. Field Operations Mgr.<br>Aggregate Year-to-Date > \$ 950.00 |                         |                                    |
| D. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
| Lisa Neil<br>— SAME —  | Washington County PA.   | 4-16-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Job Training Counselor<br>Aggregate Year-to-Date > \$ 1000.00         |                         |                                    |
| E. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
| Eleanor Prytash<br>Craven Hill<br>Charlottesville, PA. 15022   | N/A   | 4-16-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Homemaker<br>Aggregate Year-to-Date > \$ 1000.00                      |                         |                                    |
| F. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
| Harvey Davis<br>115 Figgie St.<br>Houston, PA. 15342   | Retired   | 4-16-92                 | 950.00                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Retired<br>Aggregate Year-to-Date > \$ 950.00                         |                         |                                    |
| G. Full Name, Mailing Address and ZIP Code   | Name of Employer  | Date (month, day, year) | Amount of Each Receipt this Period |
| Noreen Turkowski<br>Rd 11, 300 Westford<br>Houston, PA. 15642  | H.E.T. Construction   | 4-16-92                 | 1000.00                            |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation: Owner<br>Aggregate Year-to-Date > \$ 1000.00                          |                         |                                    |

TOTAL of Receipts This Page (optional) ..... 3,000

TOTAL This Period (fill in page this line number only) .....

723357316

1000.00

1992 Amended July Quarterly report

FORM 8871-1  
Federal Election Commission  
Washington, D.C. 20543

Supplementary for information  
found on Page \_\_\_ of Schedule C  
PAGE 1 LINE 12  
540 A

**LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS**

|  |  |                                     |                     |
|--|--|-------------------------------------|---------------------|
| NAME OF COMMITTEE (or FULL)  |  | PEC IDENTIFICATION NUMBER           |                     |
| MASCARA FOR CONGRESS   |  | C00261236                           |                     |
| FULL NAME, ADDRESS AND ZIP CODE OF LENDING INSTITUTION (LENDER)  |  | AMOUNT OF LOAN                      | INTEREST RATE (APR) |
| Charlottesville Federal Savings Bank<br>First & McKean Ave.<br>Charlottesville, PA 22922   |  | \$40,000.00                         | 7.50%               |
|  |  | TERM (INCLUDES OR ESTABLISHED DATE) | DATE DUE            |
|  |  | 4/1/92<br>4/30/92                   | 180 days            |
| A. Has loan been restructured? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, date originally incurred: _____   |  |                                     |                     |
| B. If line of credit, amount of this draw: <u>N/A</u> ; total outstanding balance: <u>\$40,000.00</u>  |  |                                     |                     |
| C. Are other parties secondarily liable for the debt incurred?<br><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Endorsers 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 papers, stocks, accounts receivable, cash on deposit, or other similar traditional collateral?<br><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes, specify: <u>Real Estate Personal Residence</u> |  |                                     |                     |
| E. What is the value of this collateral? <u>\$55,000.00 - estimated</u>  |  |                                     |                     |
| F. Does the lender have a perfected security interest in it? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes   |  |                                     |                     |
| G. Are any future contributions or future receipts of interest income, pledged as collateral for the loan?<br><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, specify: _____ What is the estimated value? _____  |  |                                     |                     |
| A depository account must be established pursuant to 11 CFR 100.7(b)(11)(B) and 100.8(b)(12)(i)(B). Date account established: _____ Location of account: _____   |  |                                     |                     |
| H. If neither of the types of collateral described above was pledged for this loan, or if the amount pledged does not equal or exceed the loan amount, state the basis upon which this loan was made and the basis on which it assures repayment.<br><u>N/A</u>  |  |                                     |                     |
| I. COMMITTEE REPRESENTATIVE  |  | DATE                                |                     |
| Edward Mendola, Treasurer <i>Edward Mendola</i>  |  | 9/14/93                             |                     |
| JUDITH CAP, Asst. Treasurer <i>Judith Cap</i>  |  | 9/14/93                             |                     |
| M. Attach a signed copy of the loan agreement.   |  |                                     |                     |
| N. 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 rate) no more favorable at the time than those imposed for similar extensions of credit to other borrowers of comparable credit worthiness.  |  |                                     |                     |
| *** This institution is aware of the requirement that a loan must be made on a basis which assures repayment, and has complied with the requirements set forth at 11 CFR 100.7(b)(11) and 100.8(b)(12) in making this loan.  |  |                                     |                     |
| AUTHORIZED REPRESENTATIVE  |  | TITLE                               | DATE                |
| <i>Steve Hough</i>   |  | <i>AVP of Savings</i>               | 9/14/93             |

0704373567

1992 Amended July Quarterly report

COPY

**PROMISSORY NOTE**

April 16 , 1992

MA-2

The undersigned, FRANK R. MASCARA AND DOLORES MASCARA, his wife, promise to pay to the order of CHARLEVOIX FEDERAL SAVINGS BANK, the sum of Forty Thousand and 00/100ths (\$40,000.00) Dollars to be paid as follows, vis.:

Interest only at the rate of Prime Rate plus 1.00% per annum billed monthly on the outstanding balance beginning May 1, 1992, and payable monthly for a period of One Hundred Eighty (180) days. At the end of One Hundred Eighty (180) days the balance of principal and interest due and owing will be payable in full.

**PAYMENT OF COSTS:**

In addition to the principal and interest payments specified above, the undersigned shall pay to Bank or any other holder hereof, upon demand, all costs and expenses (including reasonable Attorneys' Fees and legal expenses) which may be incurred by Bank or such holder in the enforcement upon default of this note.

**LIABILITIES:**

For all purposes of this note, the term "Liabilities" means this note and any renewals, extensions and modifications thereof and all other existing and future liabilities, whether absolute or contingent, of the undersigned, or any of them, to the Bank of any nature whatsoever and out of whatever transactions arising.

97043173568  
13015052311



1992 Amended July Quarterly Report

**SECURITY INTEREST:**

To secure payment of the liabilities, the bank shall have a lien upon and security interest in any balance or share, belonging to the undersigned or any of them, of any deposit, agency or other accounts with the bank and any other amounts which may be owing from time to time by the bank to the undersigned or any of them. Said lien and security interest shall be independent of any right of set-off which the bank may have.

**DEFAULTS:**

The undersigned shall be in default hereunder upon the occurrence of any of the following events:

(a) the nonpayment when due of any amount payable on any of the liabilities, or the failure of any obligor to observe or perform any agreement of any nature whatsoever with the Bank (the term "Obligor" as used herein being meant to include the undersigned, and all persons secondarily liable on this note or any renewals, extensions, or modifications thereof, such as endorsers or guarantors);

(b) if any obligor becomes insolvent or makes an assignment for the benefit of creditors, or if any petition is filed by or against any Obligor under any provision of any law or statute alleging that such obligor is insolvent or unable to pay debts as they mature;

(c) the entry of any judgment against any obligor or the issuing of any attachment or garnishment against any property of any obligor or the occurrence of any change in the financial condition of any obligor which

97043773569  
2301505211;

1992 Amended July Quarterly report

**in the sole judgment of the bank is materially adverse;**

**(d) the dissolution, merger, consolidation or reorganization of any obligor which is a corporation or partnership;**

**(e) the death of any obligor who is a natural person;**

**(f) any information heretofore or hereafter furnished to the Bank by any obligor in connection with the loan evidenced hereby or the Guaranty on the reverse side hereof should be materially false; and**

**(g) the failure of any obligor to furnish such financial and other information as the Bank may reasonably request;**

**CONFESSION OF JUDGMENT:**

**The Undersigned do hereby empower any attorney of any court of record within the United States to appear for them and on their behalf and confess judgment against them jointly and severally for the above sum with costs of suit and attorney's commission of fifteen (15%) percent for collection and release of all heirs and without stay of execution and inquisition upon any levy on real estate is hereby waived; and condemnation agreed to in the execution of personal property from levy and sell on any execution hereon is also hereby expressly waived and no benefit of exemption to be claimed under and by virtue of any exemption law now in force or which may hereafter be passed.**

9704377357C  
93015052915

1992 Amended July Quarterly Report

**ACCELERATION AND ENFORCEMENT RIGHTS:**

Whenever the undersigned shall be in default as aforesaid, unless the Bank elects otherwise, the entire unpaid amount of such of the liabilities as are not then due and payable shall become immediately due and payable without notice to or demand on any Obligor. The undersigned waives all right to stay of execution and exemption of property in any action to enforce any of the liabilities.

**MISCELLANEOUS:**

Any failure of the Bank to exercise any right hereunder shall not be construed as a waiver of the right to exercise the same or any other right at any other time.

The rights, duties, benefits and obligations hereunder shall inure to the parties hereto, their heirs, administrators, successors and assigns.

The undersigned shall be jointly and severally liable hereunder.

The undersigned intends this to be a sealed instrument and to be legally bound hereby.

All issues arising hereunder shall be governed by the law of Pennsylvania.

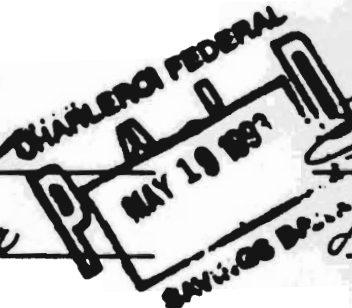
93015052211

1992 Amended July Quarterly Report

IN WITNESS WHEREOF, the Undersigned do hereunto  
set their hands and seals intending to be legally bound hereby, on  
the day and year first above written.

WITNESS:

  
FRANK R. MASCARA (SEAL)  
  
DOLORES MASCARA (SEAL)



HAS

9764373579  
93015052913



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

RQ-2

August 24, 1993

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

Identification Number: C00263236

Reference: July Quarterly Report (4/9/92-6/30/92)

Dear Mr. Mendola:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Columns A and B, Line 6(a) of the Summary Page should equal Columns A and B, Line 11(e) of the Detailed Summary Page.

-Please provide a Schedule A to support the itemized receipts included on Line 11(a)(i), Column A, of the Detailed Summary Page. Each person, other than a committee, who makes a contribution in excess of \$200 per calendar year should be listed by the committee on Schedule A. The itemization should include the full name, mailing address and zip code of the person, along with the name of his/her employer, the date of the contribution, his/her occupation, the election designation and the aggregate year-to-date amount of contributions made by the person. (11 CFR §104.3(a)(4)(i))

-Transfers in from state or local committees must be from sources permissible under the FECA, as amended. Specifically, the transfer may not consist of funds from corporate or union treasuries. Additionally, any contributor to the state committee who has contributed in excess of \$200 must be itemized on a Memorandum Schedule A. Contributors are subject to the limits of 2 U.S.C. §441(a). Please provide the necessary Memorandum Schedule A for the transfer from the Mascara Campaign Committee and clarify if the funds were from permissible sources.

[ -Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 ]

9704377-3573

hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to make concerning this matter will be taken into consideration. (11 CFR §104.5(f))

-All contributions received by your committee from 4/19/92 through 4/25/92 are required to be reported on this report. Your committee filed a 48 hour notice disclosing a "last minute" contribution from Antonetta Cerilli on 4/14/92. This contribution does not appear on a Schedule A of this report. Please amend your report to include this contribution or provide an explanation of this apparent discrepancy.

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution or any other source. If the candidate borrowed funds from a lending institution, or any other source, please provide the name of the lending institution and the complete terms of the loan on the new loan form, Schedule C-1 (copy enclosed). If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. It is important to note that "personal funds" is strictly defined by Commission Regulations and may be found in 11 CFR §110.10. (11 CFR §§100.7(a)(1) and 104.3(d))

-When itemizing loans, please note that loans made by the candidate should be disclosed on Line 13(a).

-Schedule D of your report fails to supply certain information. Commission Regulations require the full name and mailing address of each creditor, the outstanding balance at the beginning and end of the reporting period, the amount incurred during this period, any payment made during this period, and the nature or purpose of each debt. All debts must be reported until extinguished or settled. Please amend your report to include the nature or purpose of each debt. (11 CFR §104.11)

-Schedule A of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the

9704377.3574

limits set forth in the Act. An individual or a political committee other than a qualified multi-candidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

Please note that contributions designated in writing by the contributor for a particular election must be attributed to that election. Contributions not designated in writing by the contributor will be considered made for the next election for that Federal Office (1992 Primary) (11 CFR §110.1(b)(2)(i) and (ii)).

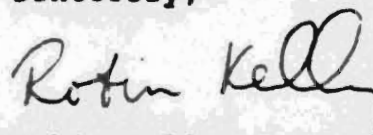
Any contribution drawn on a joint checking account will be considered made by both individuals only if the check is signed by both or is accompanied by a written document noting the amount attributable to each individual and is signed by each individual. (11 CFR §110.1(k)(1) and (2))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeds the limits, you should refund to the donor the amount in excess of \$1,000. All refunds must be made within sixty days of the treasurer's receipt of the contribution. Copies of refund checks may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on Schedule B of the report covering the period in which they are made. (11 CFR §104.8(d)(4))

Although the Commission may take further legal steps, prompt action by you to refund the excessive amount will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Robin Kelly  
Reports Analyst  
Reports Analysis Division

97043173575

**MEMORANDUM TO FILES:**

**DATE** 9/24/93

**TELECON**     
**VISIT**   

**NAME OF COMMITTEE:** Mascara For Congress

**SUBJECT:** OGC Referral

**FEC REP:** Heather Toomey

**COMMITTEE REP:** Representative

---

On September 24, 1993, a representative from Mascara For Congress called and said that they would be sending in amendments to the July Quarterly Report as soon as possible.

97043173516



EXHIBIT 11

MASCARA FOR CONGRESS

831 Lincoln Avenue  
Charlertoi, PA 15022

SEP 20 1993  
679-0150

FRANK R. MASCARA

**CERTIFIED MAIL**  
**SEP 30 1993**

101-1 1012

September 23, 1993

Heather Toomey  
Reports Analyst  
Reports Analyst Division  
Federal Election Commission  
Washington, D.C. 20463

Dear Ms. Toomey:

We have found our deficiencies to be explained as follows:

1. Columns A and B, Line 6(a) and (c) of the Detailed Summary Page should have read \$ 87,712.50 and \$ 114,572.50 respectively. These corrected amounts, when combined with our previous report of March 30, 1992 equal our reported figures of September 30, 1992.

2. The balances on Line 11(a)(i), Column A, of the Detailed Summary Page were erroneously transposed with Line 11(a)(ii), Column A of the Detailed Summary Page. When making this correction, \$13,430.00 need not be itemized. All of these contributions were from individuals and were less than the threshold for itemizing. Contributions of \$68,732.50 were itemized on the originally filed F.E.C. Form 3 and are again reported on our amended return.

3. Memorandum entry to Schedule A has been incorporated as a clarification in the amended report. Also, a Schedule C has been completed and included for this transaction.

Note entry - Mascara Campaign Committee provided a \$40,000 loan to Mascara for Congress Committee. The full source of revenues from the Mascara Campaign Committee was secured from a personal loan obtained by the candidate, Frank R. Mascara.

93015052353

Federal Election Committee

Page 2

4. The Committee did 32 letters of notification of last minute contributions totaling \$37,000 during the required reporting period. Four \$1,000 loans failed to have been reported, which were received on the first day (April 9) of the required reporting period. One loan was from the candidate, himself, for \$1,000 on April 9, of which the candidate subsequently reported loans of \$5,000 and \$2,000 on April 21 and 24 respectively. Believe there was a misunderstanding of the day the last minute report began, since the only ones not reported were the ones required on the very first day. There was no intent to deceive as exemplified by the candidate's loan not reported versus the two loans which were reported.

5. Oversight in posting resulted in Antonetta Cerilli contribution not appearing in Schedule A of report. Report has been amended to include contribution.

6. Schedule C-1 has been completed for each of the loans the candidate provided the committee.

7. Detailed Summary Page has been amended to indicate loans made by candidate on the line 13(a).

8. Schedule D has been amended to indicate the nature or purpose of each debt.

9. Contribution which appeared to exceed limits was actually a posting error which double reported the same contribution, and omitted a legal contribution of the same amount. Schedule A, Line 11(a)(i), Page 10 of 16, has been revised to correct the posting error. Coincidentally, the report balanced as a result of double counting one contribution (Pryor) and failing to include another contribution (Cerilli), both checks in the same amount.

Thank you for your cooperation. If you have any questions, please call.

Sincerely,

*Edward Mendola*  
Edward Mendola  
Treasurer

Enclosure

EM/tjd

9 0 1 5 0 5 2 3 5 4



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

SEPTEMBER 7, 1994

Public Records  
Washington County Elections Office  
Courthouse Square, Room 206  
Washington, PA 15301

Dear Sir/Madame:

Please consider this letter a request for publicly available reports filed by the Mascara Campaign Committee covering the period of March 1992 through May 1993. Please call me at (800) 424-9530 as soon as possible with the cost of these documents, and a check will be forwarded. The reports can be sent to:

Eric Brown, Paralegal Specialist  
Federal Election Commission  
999 E Street, NW 6th Floor  
Washington, DC 20463

Thank you for your assistance.

Sincerely,

Eric Brown  
Paralegal Specialist

97043773579

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARY

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

Mar 13 2 59 PM '95

**FIRST GENERAL COUNSEL'S REPORT**

RAD Referral: 94L-14  
Date Activated: April 8, 1994  
Staff Member: Elizabeth Stein

**SENSITIVE**

SOURCE: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS: Mascara for Congress and  
Edward Mendola, as treasurer  
Mascara Campaign Committee and  
Judith A. Cap, as treasurer  
Dolores Mascara

RELEVANT STATUTES: 2 U.S.C. § 431(4)  
2 U.S.C. § 431(8)  
2 U.S.C. § 432(e)(2)  
2 U.S.C. § 433  
2 U.S.C. § 434(a)  
2 U.S.C. § 434(b)  
2 U.S.C. § 441a(a)  
2 U.S.C. § 441a(f)  
11 C.F.R. § 100.5(a)  
11 C.F.R. § 100.7(a)(1)  
11 C.F.R. § 101.2  
11 C.F.R. § 104.3(d)  
11 C.F.R. § 104.11  
11 C.F.R. § 102  
11 C.F.R. § 103.3(b)  
11 C.F.R. § 104.12  
11 C.F.R. § 110.3(c)(6)

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on March 2, 1994. Attachment 1. The basis for the attached referral is the failure of Mascara for Congress and Edward Mendola, as treasurer, ("the Committee") to file forty-eight hour notifications ("48 Hour Notices") for contributions totaling \$76,000, and the Committee's acceptance of excessive contributions

9704377358C

in connection with the 1992 Pennsylvania primary election. In addition to these specifically referred matters, the referral also notes facts indicating misreporting of candidate loans and transfers, as well as other possible violations arising from transfers from the candidate's affiliated non-federal committee, the Mascara Campaign Committee ("MCC"). Frank R. Mascara lost the 1992 primary election in the 20th Congressional District in Pennsylvania with 34% percent of the vote. Mr. Mascara subsequently won the 1994 general election for the same seat on November 8, 1994 with 53% of the vote.

II. FACTUAL AND LEGAL ANALYSIS

A. Background

On March 23, 1992, Mr. Mascara filed his Statement of Candidacy and designated Mascara for Congress as his principal campaign committee for the 1992 congressional election. On April 6, 1992, Mr. Mascara designated MCC, his pre-existing state committee, as an authorized committee. MCC simultaneously registered with the Commission, reported a \$10,635 transfer to the Committee, and filed for termination, stating in a cover letter that MCC "will cease further federal election activity." MCC thereafter proceeded to make six additional transfers to the Committee, totaling \$52,500, including one transfer made only ten days after MCC filed its Request for Termination.<sup>1</sup> While the

1. These transfers consisted of the following: A \$40,000 transfer on April 16, 1992; a \$2,500 transfer on June 11, 1992; a \$3,000 transfer on August 11, 1992; a \$1,000 transfer on August 14, 1992; a \$3,000 transfer on September 9, 1992; and a \$3,000 transfer on May 5, 1993. All the transfers were described as "loans" to the Committee. The June 11, 1992

9704373521

Committee reported the receipt of these funds, MCC failed to file the required disclosure reports divulging the source of the transferred funds. The Committee later revealed in response to an inquiry from RAD that the source of a \$40,000 transfer was a previously unreported bank loan made to the candidate and his wife.<sup>2</sup> No disclosure has been made regarding the source of the other five transfers.

Because Pennsylvania law permits unlimited contributions from individuals and family members, this Office obtained MCC state reports to examine the source of the funds transferred by MCC. The state reports show that MCC financed federal activity by making undisclosed payments on the \$40,000 loan to the candidate and his wife. Finally, three contributions originally reported by the Committee as candidate loans from personal funds were actually draws against bank credit lines. The possible violations arising from the above-referenced loans and transfers are discussed below.

**B. Excessive Contributions**

The Mascara for Congress Committee's 1992 October Quarterly Report, 1992 Amended July Quarterly Report and Schedule C-1, and accompanying documentation disclose that in 1992 the Committee accepted three contributions from individuals in excess of

---

(Footnote 1 continued from previous page)  
transaction was originally reported as a loan from the candidate but is subsequently reported as a transfer from MCC.

2. This contribution is included in the referral both as an excessive contribution and as one of the contributions for which no 48 hour notice was filed.

97043773582

\$1,000.<sup>3</sup> The documents also indicate that additional excessive contributions were received in 1992, which are attributable to the candidate's wife, Dolores Mascara. The contributions include \$12,500 as a result of the \$40,000 bank loan secured with jointly held property, and as much as \$4,000 from three draws on jointly held lines of credit. The excessive contributions attributable to Mrs. Mascara were originally reported by the Committee as either loans from the candidate or as loans from MCC, the candidate's affiliated state committee.

9704373583

Under the Act, no person may make a contribution to any candidate and his authorized political committees with respect to any election for Federal office which exceeds \$1,000, and no candidate or political committee may accept such contributions. 2 U.S.C. §§ 441a(a)(1) and 441a(f). The term "contribution" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 2 U.S.C. § 431(8)(A). The term loan includes an endorsement, guarantee or any form of security. 11 C.F.R. § 100.7(a)(1)(i).

A loan is a contribution at the time it is made and remains

---

3. The Committee has refunded the \$1,550 in excessive contributions received from these three individuals but well outside the prescribed sixty day window. The Committee's 1992 October Quarterly Report discloses the receipt of excessive contributions from the three individuals between July 24 and August 21, 1992. However, it was not until the 1994 Twelve Day Pre-Primary reporting period, between April 1 and April 15, 1994 that the excessive contributions were refunded. The Committee's reports indicate that a sufficient sum to refund the excessive contributions had been raised by the 1993 Year-End reporting period.

970437354

a contribution to the extent that it remains unpaid. 11 C.F.R. § 100.7(a)(1)(i)(B). A loan is a contribution by each endorser or guarantor according to the portion of the total amount for which the endorser or guarantor is liable. 11 C.F.R. § 100.7(a)(1)(i)(C). A candidate may, however, obtain a loan which requires the spouse's signature when jointly owned assets are used as collateral or security without the spousal portion being considered a contribution. 11 C.F.R. § 100.7(a)(1)(i)(D). A candidate may make unlimited expenditures from personal funds. 11 C.F.R. § 110.10(a). Personal funds are defined as any assets which, under applicable state law, at the time he or she became a candidate, the candidate had a legal right of access to or control over, coupled with either legal and rightful title, or an equitable interest. 11 C.F.R. § 110.10(b)(1). The candidate's personal funds include the candidate's portion of assets jointly owned with his or her spouse. A spouse who signs a loan agreement pledging joint assets as collateral will not be considered to have contributed to the campaign so long as the value of the candidate's share of the asset equals or exceeds the amount of the loan. 11 C.F.R. § 100.7(a)(1)(i)(D), see also Advisory Opinion 1991-10.

Pursuant to 11 C.F.R. § 110.10(b)(3), the candidate's share of the joint assets shall be that portion which is the candidate's share of the assets under the instruments of conveyance or ownership. If no specific share is so indicated, the value of one-half of the property used shall be considered as personal funds of the candidate. 11 C.F.R. § 110.10(b)(3). A loan signed



by both spouses which exceeds the candidate's share of joint assets used as collateral results in a contribution by the spouse.

The candidate in this matter is a resident of Pennsylvania. Under Pennsylvania law, when property is held by both a husband and a wife, a tenancy by the entirety is presumed to exist. Madden v. Gosztonyi Savings and Trust Inc., 200 A. 624, 628 (Pa. 1938). A tenancy by the entirety is a type of estate in real property in which husband and wife hold the property as a unit rather than in divisible shares. See Id. at 627. With regard to real property, neither spouse acting independently may dispose of any portion so as to work a severance of the estate, nor encumber the property in any way. DeBorrello v. Lauletta, 317 A.2d 254 (Pa. 1974), see also McCollum v. Braddock Trust Co., 198 A. 803 (Pa. 1938) (Holding that a husband may not increase a debt secured by jointly-held property without the consent of the wife). No agency relationship arises from a marital relationship and there is no presumption that either spouse has the authority to convey an interest in real estate held by the entireties without the other spouse's joinder. See DeBorrello, 317 A.2d at 255.<sup>4</sup>

---

4. MUR 3505, (Citizens for Ron Klink,) also deals with funds contributed from a joint bank account held by a Pennsylvania candidate and his spouse. Under Pennsylvania law, while joint bank accounts held by husbands and wives are also tenancies by the entirety, state law presumes that by establishing the joint account, the spouses have provided each other with the agency or authority to withdraw funds on one another's behalf, so long as the power is exercised in good faith and for one another's benefit. This presumption is consistent with the Commission's determination in MUR 2292 (Andrew Stein) that joint bank-accounts are an exception to the one-half interest rule and that all funds in a joint bank-account are the candidate's personal funds. There is no such presumption for a spouse acting independently to mortgage jointly held property.

97043773535

The Committee's 1992 Amended July Quarterly Report, submitted in response to an RFAI from RAD, reveals that the \$40,000 transfer characterized by the Committee as a loan from MCC originated from a bank loan to Mr. and Mrs. Mascara. The loan agreement attached to the Schedule C-1 is in the names of both Frank and Dolores Mascara and is signed by both of them. The Schedule C-1 indicates that the loan is secured by a personal residence valued at \$55,000. In response to a subsequent RFAI, the Committee confirmed that "the loans emanated from accounts jointly held by the candidate and the candidate's spouse." The Committee refused to make any refunds stating the candidate was "conservatively responsible for one hundred percent of all the assets jointly held."<sup>5</sup>

Since Mr. and Mrs. Mascara appear to own their house jointly in tenancy by the entirety, Mr. Mascara may not encumber the property or use the property as security for a loan without the approval of Mrs. Mascara. Because spouses may not individually convey or otherwise dispose of any interest in property without the signature of the other, banks insist upon both spouses' signatures in order to encumber joint assets. As a result, Mr. Mascara may have legal title to the whole of the jointly-owned

---

5. Prior to receiving this written response from the Committee, a RAD Analyst spoke with the Committee treasurer. When the treasurer stated during that conversation that no contributions from joint property were attributable to Mrs. Mascara due to her lack of employment, the RAD analyst "reminded the treasurer that the accounts in question were joint accounts of both the candidate and his wife" and explained "in great detail" about Commission requirements regarding percentage breakdowns of loans guaranteed with joint property. See Attachment 1 at p. 23.

97043773586

property, but he does not have access to or control over any of the joint property within the meaning of the Regulation. See Memo to the Commission, dated October 1, 1981, at 7, 10. Because Mr. Mascara cannot claim the house as his personal funds, he must fall back upon 11 C.F.R. § 110.10(b)(3) which provides that one half of his joint assets are considered his personal funds. See also Advisory Opinion 1991-10.<sup>6</sup> Hence, one half of the equity in the Mascara home may be considered Mr. Mascara's personal funds. Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(D), Mr. Mascara was entitled to borrow up to \$27,500, the value of his half share in the \$55,000 property. The remaining \$12,500 of the loan appears to be a contribution by Mrs. Mascara.

The Committee's amended reports also disclose that three loans, totaling \$8,000, are actually draws on bank credit lines with the Mellon Bank and Integra Bank.<sup>7</sup> Bank statements attached to the Schedule C-1 list both Frank Mascara and Dolores Mascara on the accounts, suggesting that the credit lines at both banks are jointly owned. At this time it is not clear whether the two lines of credit were obtained prior to the time Mr. Mascara became a

---

6. In Advisory Opinion 1991-10, the Commission previously found that a Pennsylvania candidate who held a residence in a tenancy by the entirety was entitled to consider one half the equity in the home as his personal funds.

7. The Committee originally reported a \$1,000 loan from the candidate on April 9, 1992, a \$5,000 loan from the candidate on April 21, 1992, and a \$2,000 loan from the candidate on April 24, 1992.

97043173507

candidate for federal office.<sup>8</sup> However, if the lines of credit were obtained after Mr. Mascara became a federal candidate, the credit lines would be considered loans guaranteed jointly by Mr. and Mrs. Mascara. If the lines of credit were unsecured, Mrs. Mascara would be viewed as having made a contribution in the amount of her half of the guarantee. If they were secured with jointly-held property, Mrs. Mascara would be viewed as having made a contribution to the extent that the value of the lines of credit exceeded Mr. Mascara's 50 percent share of the asset used as collateral. See MUR 2239.<sup>9</sup>

It appears that \$12,500 of the \$40,000 bank loan is attributable to Mrs. Mascara and that half of the \$8,000 in credit line draws, or \$4,000, may also be attributable to her. Because Mrs. Mascara made a \$1,000 loan to the Committee prior to these transactions, the entire \$16,500 attributable to her via the loan guarantee and the credit line draws may be excessive. Therefore, this Office recommends the Commission find reason to believe that Dolores Mascara violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions and Mascara for Congress and

8. If, in the course of the investigation, it becomes clear that the lines of credit were unsecured and obtained prior to candidacy, it may be more appropriate to treat them as a joint bank account in which each spouse has complete access and control.

9. This is consistent with MUR 2239, (Friends of Steve Swendiman) where the Commission found reason to believe that an excessive contribution had occurred as the result of an apparently unsecured line of credit being granted to a candidate and his spouse during a campaign. The Commission ultimately found no probable cause to believe in this matter, since it was determined during the investigation that the bank had actually looked to sufficient personal assets of the candidate as security for the line of credit.

97043773588

Edward Mendola, as treasurer violated 2 U.S.C. § 441a(f) by accepting the excessive contributions.

C. Violations Arising Out of Transfers from a Non-Federal Committee

Pursuant to regulations in effect prior to July 1, 1993, unlimited transfers between state and federal committees were permitted so long as the transfers were not composed of prohibited or excessive contributions. 11 C.F.R. § 110.3(c)(6). However, if more than \$1,000 was transferred from a state to a federal committee in any calendar year, the state committee became a federal political committee subject to the registration and reporting requirements of the Act. 11 C.F.R. § 110.3(c)(6)(iii). A state committee which became a political committee as the result of a transfer was required to file an itemized report of the source of the funds in the committee's accounts at the time of the transfer. Id. The funds in the account, or the cash on hand balance, was presumed to be composed of those contributions most recently received by the committee. Id. A state committee could file for termination of its status as a political committee with its first report if it did not intend to make further transfers. Id. If the committee did terminate, it was required to re-register as a new committee and report any additional federal activity undertaken within the calendar year. 2 U.S.C. § 433(a).

The committee must have been able to demonstrate that the cash on hand balance contained sufficient funds raised in compliance with the limitations and prohibitions of the Act at the time of the transfer to cover the amount of the transfer.

97043773599

11 C.F.R. § 110.3(c)(6)(i). Once a state committee crossed the \$1,000 threshold and became a political committee, the contribution limits of the Act applied to the committee and contributions by individuals to the federal committee and to the state committee, while the candidate was seeking federal office, were required to be aggregated. If the aggregate contribution was in excess of \$1,000, the excess portion also had to be excluded from the transfer. 11 C.F.R. § 110.3(c)(6)(ii). See also Advisory Opinion 1987-12.

On April 6, 1992, MCC properly registered as an authorized committee of the candidate, made a \$10,635 transfer to the Committee, and filed a report disclosing the source of the transferred funds. The report, which covered the period from March 27 and April 4, 1992, also acted as MCC's termination report. In correspondence attached to the report, Mr. Mascara stated that MCC "would cease further federal election activity." The termination request was granted on May 15, 1992. At the time of termination, MCC was informed, in writing, that they must re-register if they engaged in any further federal activity.

On April 16, 1992, just ten days after stating that it would cease federal activity, MCC transferred an additional \$40,000 to the Committee without reporting the transfer. Because termination status had not yet been granted, MCC was required to report this transaction. MCC also made five additional transfers totaling \$12,500 after the committee terminated in May 1992 but never

9704317352C

re-registered or reported the transfers.<sup>10</sup> Accordingly, this Office recommends that the Commission find reason to believe that the Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. §§ 433(a) and 434 as a result of failing to register and report the transfers.

D. Violations Relating to Candidate Loans

1. \$40,000 Loan to MCC

A political committee must report all loans made to the committee, including loans made by or guaranteed by the candidate. 2 U.S.C. §§ 434(b)(2)(G), 432(b)(2)(H). Any candidate who receives a loan for use in connection with a campaign for federal office is treated as having received the loan as an agent of the authorized committee and the loan must be reported and itemized as a loan from the original lender. 2 U.S.C. § 432(e)(2), 11 C.F.R. § 101.2. See also Advisory Opinion 1985-33. The committee must disclose the name of each person or entity who makes, endorses, or guarantees a loan to the committee or to the candidate as an agent of the committee, as well as the date such loan was made, and the amount and value of the loan. 2 U.S.C. § 434(b)(3)(E). Loans are debts of the committee and must be reported until they are extinguished. 2 U.S.C. § 434(b)(8), 11 C.F.R. § 104.11. Further, when a loan is received by a candidate as an agent for the committee, the repayment of the loan is reported and itemized as a disbursement to the lender. 2 U.S.C. §§ 434(b)(3)(E),

10. The five transfers were \$2,500 on June 11, 1992; \$3,000 on August 11, 1992; \$1,000 on August 14, 1992; \$3,000 on September 9, 1992; and \$3,000 on May 5, 1993.

97043773521

434(b)(5)(D), see also Advisory Opinion 1985-33.

As described above, the source of the \$40,000 transfer by MCC to the Committee on April 16, 1992, was a bank loan made to Frank and Dolores Mascara. The loan was made well after Mr. Mascara had become a candidate for federal office and was used in connection with his federal campaign. At the time of the loan, MCC was an authorized political committee subject to the reporting requirements of the Act. Hence, the loan should have been reported as a loan to MCC from the lender bank and also as a disbursement from MCC to the Committee. State reports also show transactions described as loan repayments made by MCC to Mr. and Mrs. Mascara accompanied by a corresponding drop in the balance owed by MCC on the \$40,000 loan. As noted, no federal reports were ever filed by MCC disclosing the receipt of the loan or its terms. Disclosure was also never made regarding repayments of the loan to the Mascaras. In addition, it is presently unknown whether MCC had sufficient permissible funds to make the loan repayments. Thus, it appears there is reason to believe that the Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. § 434(b) by failing to report loans received by MCC and by failing to report payments on a loan used in connection with a federal election.

2. Lines of Credit

Under the Act, lines of credit are considered bank loans and are treated like bank loans. See 56 Fed. Reg. 67118, 67119 (December 27, 1991). When lines of credit are obtained by a candidate, the candidate acts as an agent of the committee, and

97043773592



the committee must disclose the original source of funds.

2 U.S.C. § 432(e)(2), 11 C.F.R. § 101.2. If the line of credit is established for campaign purposes, in its next report the committee must disclose the date of establishment, the amount of the line of credit, the interest rate and repayment schedule, and the source of repayment securing the line of credit. 2 U.S.C. § 434(b), 11 C.F.R. §§ 104.3(d), 100.7. If a line of credit predates a campaign, all of this information must be disclosed as soon as a draw is made upon the line of credit for campaign purposes. See Advisory Opinion 1994-26. Loans are debts of the committee and must be reported until they are extinguished. 2 U.S.C. § 434b(8), 11 C.F.R. § 104.11.

Three contributions originally reported as loans from the candidate to the Committee appear to be draws on jointly-owned lines of credit as discussed above. Documentation provided by the Committee indicates that the funds resulted from three draws on two apparently unsecured lines of credit. While at least one of the lines of credit appears to predate Mr. Mascara's 1992 congressional campaign, the reports reflect that all draws were made for campaign purposes. Commission regulations require that the contributions be reported as draws on pre-existing lines of credit with the candidate and his wife listed as guarantors in accordance with 11 C.F.R. § 104.3(d). Instead, the Committee has never fully reported the terms of the lines of credit or provided the other information indicating that they were obtained in the ordinary course of business as required by 11 C.F.R. § 104.3(d)(1)(i)-(v). In light of the foregoing, it appears there

970437733523

is reason to believe Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(b).

**E. 48 Hour Violations**

The Act requires principal campaign committees of candidates for federal office to notify, in writing, either the Secretary of the U.S. Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

The 1992 Pennsylvania primary election was held on April 28, 1992. The Committee was notified in writing that 48 hour notices would be required for contributions of \$1,000 or more received in the twenty days prior to the election or "during the period of April 9 through April 25." See Attachment 1 p. 51. A review of the Committee's 1992 original and amended July Quarterly Reports identified thirty-four (34) contributions of \$1,000 or more received from April 9 through April 25, 1992, totaling \$76,000, for which respondents did not submit the required 48 hour notifications.

In response to an inquiry by RAD, the Committee states that

97043773574

the violations of the 48 hour notification provision are due to a misunderstanding regarding whether April 9 was included within the 48 hour notification period. There is no method of calculation by which April 9 is not within twenty days of the April 28th primary. Moreover, the Committee also failed to submit 48 hour notices for contributions received on four other days during the relevant period, including a notice for the \$40,000 loan transferred from MCC and received only eight days before the election.

Respondents did not submit the required 48 hour notices for the following contributions:

| <u>CONTRIBUTOR NAME</u>            | <u>DATE</u> | <u>AMOUNT</u> |
|------------------------------------|-------------|---------------|
| Thomas Lechner                     | 4/9/92      | \$1,000       |
| N. John Cunzolo                    | 4/9/92      | \$1,000       |
| Robert D. and Karen A. Clinton Jr. | 4/9/92      | \$1,000       |
| Charles F. and Laura Welker        | 4/9/92      | \$1,000       |
| Thomas J. and Christine Santone    | 4/9/92      | \$1,000       |
| C. Andrew Russell                  | 4/9/92      | \$1,000       |
| Janice A. Rea                      | 4/9/92      | \$1,000       |
| Donald E. Rea                      | 4/9/92      | \$1,000       |
| Thomas J. Murphey                  | 4/9/92      | \$1,000       |
| Thomas F. Mosure                   | 4/9/92      | \$1,000       |
| Robert J. and Deborah McGurk       | 4/9/92      | \$1,000       |
| Neal H. Holmes                     | 4/9/92      | \$1,000       |
| Joseph M. Grochmal                 | 4/9/92      | \$1,000       |
| Charles A. and Deborah Gomulka     | 4/9/92      | \$1,000       |
| Charles A. and Deborah Gomulka     | 4/9/92      | \$1,000       |
| Anthony P. DeJulius                | 4/9/92      | \$1,000       |
| John F. Cambest                    | 4/9/92      | \$1,000       |
| Paul and Marilyn Apostolou         | 4/9/92      | \$1,000       |
| James R. Agras                     | 4/9/92      | \$1,000       |
| Electra P. Agras                   | 4/9/92      | \$1,000       |
| Maxine Miller                      | 4/9/92      | \$1,000       |
| Arthur J. Bedway                   | 4/9/92      | \$1,000       |
| Jon Mascara (loan)                 | 4/9/92      | \$1,000       |
| Louis Lignelli (loan)              | 4/9/92      | \$1,000       |
| Darlene Lignelli (loan)            | 4/9/92      | \$1,000       |
| Anthony and Dora Jean Vitale       | 4/10/92     | \$1,000       |
| Thomas Staockhausen                | 4/10/92     | \$1,000       |
| Joseph & Regina Saluucci           | 4/10/92     | \$1,000       |
| Charles S. Pryor                   | 4/17/92     | \$1,000       |
| Lisa Neil (loan)                   | 4/16/92     | \$1,000       |
| RRZPAC                             | 4/9/92      | \$5,000       |
| Frank Mascara (candidate loan)     | 4/9/92      | \$1,000       |

97043773595

|  |            |
|--|------------|
| Transfer reported as loan from MCC 4/19/92 | \$40,000   |
| Frank Mascara                              | (\$27,500) |
| Dolores Mascara                            | (\$12,500) |

TOTAL: \$76,000

Therefore, this Office recommends the Commission find reason to believe Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

IV. DISCOVERY

To fully assess the facts and circumstances surrounding the loans and transfers discussed above in a timely fashion, this Office also recommends that the Commission approve the attached Order to Submit Written Answers and Subpoena for Documents.

V. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. §§ 434(a)(6)(A), 434(b) and 441a(f).
3. Find reason to believe that Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. §§ 433 and 434.
4. Find reason to believe that Dolores Mascara violated 2 U.S.C. § 441a(a)(1)(A).
5. Approve the attached Factual and Legal Analyses.
6. Approve the attached Order to Submit Written Answers and Subpoena for Documents.

Lawrence M. Noble  
General Counsel

3/13/95  
Date

BY: Lois G. Lerner (AS)  
Lois G. Lerner  
Associate General Counsel

9704373506

**Attachments:**

- 1. Referral Materials**
- 2. Factual and Legal Analyses**
- 3. Interrogatories and Document Requests**

9704373597

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Mascara for Congress and Edward  
Mendola, as treasurer;  
Mascara Campaign Committee and  
Judith A. Cap, as treasurer;  
Dolores Mascara.

)  
)  
) RAD Referral  
) #94L-14  
)  
) MUR 4194  
)  
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 17, 1995, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #94L-14:

1. Open a MUR.
2. Find reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. §§ 434(a)(6)(A), 434(b), and 441a(f).
3. Find reason to believe that Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. §§ 433 and 434.
4. Find reason to believe that Dolores Mascara violated 2 U.S.C. § 441a(a)(1)(A).

(continued)

97043773598

5. Approve the Factual and Legal Analyses, as recommended in the General Counsel's Report dated March 13, 1995.
  
6. Approve the Order to Submit Written Answers and Subpoena for Documents, as recommended in the General Counsel's Report dated March 13, 1995.

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

Attest:

3-17-95  
Date

  
Marjorie W. Emmons  
Secretary of the Commission

|                               |                      |            |
|-------------------------------|----------------------|------------|
| Received in the Secretariat:  | Mon., Mar. 13, 1995  | 2:59 p.m.  |
| Circulated to the Commission: | Tues., Mar. 14, 1995 | 11:00 a.m. |
| Deadline for vote:            | Fri., Mar. 17, 1995  | 4:00 p.m.  |

bjr

97043773509



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 23, 1995

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Judith A. Cap, Treasurer  
Mascara Campaign Committee  
831 Lincoln Ave.  
Charleroi, PA 15022

RE: MUR 4194

Dear Ms. Cap:

On March 17, 1995, the Federal Election Commission found that there is reason to believe the Mascara Campaign Committee ("MCC") and you, as treasurer, violated 2 U.S.C. §§ 433 and 434, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is 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. Statements should be submitted under oath. All responses to the enclosed Order to Answer Interrogatories and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 30 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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.

97043773600



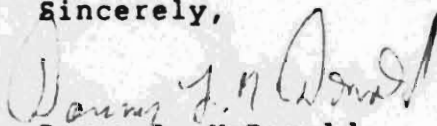
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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 investigation to be made public.

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Elizabeth Stein, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

  
Danny L. McDonald  
Chairman

Enclosures

- Order and Subpoena
- Factual and Legal Analysis
- Procedures
- Designation of Counsel Form

cc: Honorable Frank Mascara

97043773601

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
) MUR 4194  
)

SUBPOENA TO PRODUCE DOCUMENTS  
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Judith A. Cap, Treasurer  
Mascara Campaign Committee  
831 Lincoln Avenue  
Charleroi, PA 15022

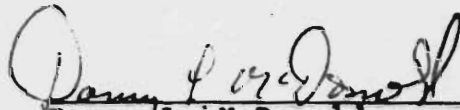
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

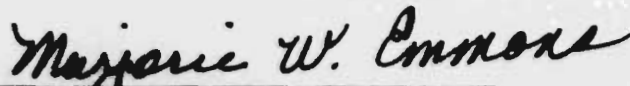
97043773602

WHEREFORE, the Chairman of the Federal Election Commission  
has hereunto set his hand in Washington, D.C. on this  
*22nd*, day of *March*, 1995.

For the Commission,

  
\_\_\_\_\_  
Danny L. McDonald  
Chairman

ATTEST:

  
\_\_\_\_\_  
Marjorie W. Emons  
Secretary to the Commission

Attachments  
Questions and Document Request

97043173603

**QUESTIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS**

**INSTRUCTIONS**

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1992 to present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

97043773604

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

9704373605

INTERROGATORIES AND REQUESTS FOR DOCUMENTS

1. Please state whether payments have been made by the Mascara Campaign Committee ("MCC") on any loans or lines of credit obtained by Frank or Dolores Mascara and subsequently paid to MCC between January 1, 1992 and the present.
  - a. If so, provide an accurate and complete list of the payments including the amount and date of each payment.
  - b. State the name of each person to whom a payment was made.
  - c. Describe the process by which the payments were made and produce copies of all documents evidencing payments.

97043773606

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR 4194

RESPONDENTS: Mascara for Congress and  
Edward Mendola, as treasurer  
Mascara Campaign Committee and  
Judith A. Cap, as treasurer

I. GENERATION OF MATTER

97043773607

The matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437(g)(a)(2). The basis of the matter is the failure of Mascara for Congress and Edward Mendola, as treasurer, ("the Committee") to file forty-eight hour notifications ("48 Hour Notices") for contributions totaling \$76,000, and the Committee's acceptance of excessive contributions in connection with the 1992 Pennsylvania primary election. In addition to these matters, the facts also indicate the misreporting of candidate loans and transfers, as well as other possible violations arising from transfers from the candidate's affiliated non-federal committee, the Mascara Campaign Committee ("MCC"). Frank R. Mascara lost the 1992 primary election in the 20th Congressional District in Pennsylvania with 34% percent of the vote. Mr. Mascara subsequently won the 1994 general election for the same seat on November 8, 1994 with 53% of the vote.

II. FACTUAL AND LEGAL ANALYSIS

A. Background

On March 23, 1992, Mr. Mascara filed his Statement of Candidacy and designated Mascara for Congress as his principal

campaign committee for the 1992 congressional election. On April 6, 1992, Mr. Mascara designated MCC, his pre-existing state committee, as an authorized committee. MCC simultaneously registered with the Commission, reported a \$10,635 transfer to the Committee, and filed for termination, stating in a cover letter that MCC "will cease further federal election activity." MCC thereafter proceeded to make six additional transfers to the Committee, totaling \$52,500, including one transfer made only ten days after MCC filed its Request for Termination.<sup>1</sup> While the Committee reported the receipt of these funds, MCC failed to file the required disclosure reports divulging the source of the transferred funds. The Committee later revealed in response to an inquiry from RAD that the source of a \$40,000 transfer was a previously unreported bank loan made to the candidate and his wife. No disclosure has been made regarding the source of the other five transfers.

Because Pennsylvania law permits unlimited contributions from individuals and family members, this Office obtained MCC state reports to examine the source of the funds transferred by MCC. The state reports show that MCC financed federal activity by making undisclosed payments on the \$40,000 loan to the candidate and his wife. Finally, three contributions originally reported by the Committee as candidate loans from personal funds were actually

---

1. These transfers consisted of the following: A \$40,000 transfer on April 16, 1992; a \$2,500 transfer on June 11, 1992; a \$3,000 transfer on August 11, 1992; a \$1,000 transfer on August 14, 1992; a \$3,000 transfer on September 9, 1992; and a \$3,000 transfer on May 5, 1993. All the transfers were described as "loans" to the Committee. The June 11, 1992 transaction was originally reported as a loan from the candidate but is subsequently reported as a transfer from MCC.

97043773608



draws against bank credit lines. The possible violations arising from the above-referenced loans and transfers are discussed below.

**B. Excessive Contributions**

The Mascara for Congress Committee's 1992 October Quarterly Report, 1992 Amended July Quarterly Report and Schedule C-1, and accompanying documentation disclose that in 1992 the Committee accepted three contributions from individuals in excess of \$1,000.<sup>2</sup> The documents also indicate that additional excessive contributions were received in 1992, which are attributable to the candidate's wife, Dolores Mascara. The contributions include \$12,500 as a result of the \$40,000 bank loan secured with jointly held property, and as much as \$4,000 from three draws on jointly held lines of credit. The excessive contributions attributable to Mrs. Mascara were originally reported by the Committee as either loans from the candidate or as loans from MCC, the candidate's affiliated state committee.

Under the Act, no person may make a contribution to any candidate and his authorized political committees with respect to any election for Federal office which exceeds \$1,000, and no candidate or political committee may accept such contributions. 2 U.S.C. §§ 441a(a)(1) and 441a(f). The term

---

2. The Committee has refunded the \$1,550 in excessive contributions received from these three individuals but well outside the prescribed sixty day window. The Committee's 1992 October Quarterly Report discloses the receipt of excessive contributions from the three individuals between July 24 and August 21, 1992. However, it was not until the 1994 Twelve Day Pre-Primary reporting period, between April 1 and April 15, 1994 that the excessive contributions were refunded. The Committee's reports indicate that a sufficient sum to refund the excessive contributions had been raised by the 1993 Year-End reporting period.

97043773609

"contribution" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

2 U.S.C. § 431(8)(A). The term loan includes an endorsement, guarantee or any form of security. 11 C.F.R. § 100.7(a)(1)(i).

A loan is a contribution at the time it is made and remains a contribution to the extent that it remains unpaid. 11 C.F.R. § 100.7(a)(1)(i)(B). A loan is a contribution by each endorser or guarantor according to the portion of the total amount for which the endorser or guarantor is liable. 11 C.F.R.

§ 100.7(a)(1)(i)(C). A candidate may, however, obtain a loan which requires the spouse's signature when jointly owned assets are used as collateral or security without the spousal portion being considered a contribution. 11 C.F.R. § 100.7(a)(1)(i)(D).

A candidate may make unlimited expenditures from personal funds. 11 C.F.R. § 110.10(a). Personal funds are defined as any assets which, under applicable state law, at the time he or she became a candidate, the candidate had a legal right of access to or control over, coupled with either legal and rightful title, or an equitable interest. 11 C.F.R. § 110.10(b)(1). The candidate's personal funds include the candidate's portion of assets jointly owned with his or her spouse. A spouse who signs a loan agreement pledging joint assets as collateral will not be considered to have contributed to the campaign so long as the value of the candidate's share of the asset equals or exceeds the amount of the loan. 11 C.F.R. § 100.7(a)(1)(i)(D), see also Advisory Opinion 1991-10.

Pursuant to 11 C.F.R. § 110.10(b)(3), the candidate's share

9704377361C

of the joint assets shall be that portion which is the candidate's share of the assets under the instruments of conveyance or ownership. If no specific share is so indicated, the value of one-half of the property used shall be considered as personal funds of the candidate. 11 C.F.R. § 110.10(b)(3). A loan signed by both spouses which exceeds the candidate's share of joint assets used as collateral results in a contribution by the spouse.

The candidate in this matter is a resident of Pennsylvania. Under Pennsylvania law, when property is held by both a husband and a wife, a tenancy by the entirety is presumed to exist. Madden v. Gosztonyi Savings and Trust Inc., 200 A. 624, 628 (Pa. 1938). A tenancy by the entirety is a type of estate in real property in which husband and wife hold the property as a unit rather than in divisible shares. See Id. at 627. With regard to real property, neither spouse acting independently may dispose of any portion so as to work a severance of the estate, nor encumber the property in any way. DeBorrello v. Lauletta, 317 A.2d 254 (Pa. 1974), see also McCollum v. Braddock Trust Co., 198 A. 803 (Pa. 1938) (Holding that a husband may not increase a debt secured by jointly-held property without the consent of the wife). No agency relationship arises from a marital relationship and there is no presumption that either spouse has the authority to convey an interest in real estate held by the entireties without the other spouse's joinder. See DeBorrello, 317 A.2d at 255.

The Committee's 1992 Amended July Quarterly Report, submitted in response to an RFAI from RAD, reveals that the \$40,000 transfer characterized by the Committee as a loan from MCC originated from a bank loan to Mr. and Mrs. Mascara. The loan

97043773611

agreement attached to the Schedule C-1 is in the names of both Frank and Dolores Mascara and is signed by both of them. The Schedule C-1 indicates that the loan is secured by a personal residence valued at \$55,000. In response to a subsequent RFAI, the Committee confirmed that "the loans emanated from accounts jointly held by the candidate and the candidate's spouse." The Committee refused to make any refunds stating the candidate was "conservatively responsible for one hundred percent of all the assets jointly held."

Since Mr. and Mrs. Mascara appear to own their house jointly in tenancy by the entirety, Mr. Mascara may not encumber the property or use the property as security for a loan without the approval of Mrs. Mascara. Because spouses may not individually convey or otherwise dispose of any interest in property without the signature of the other, banks insist upon both spouses' signatures in order to encumber joint assets. As a result, Mr. Mascara may have legal title to the whole of the jointly-owned property, but he does not have access to or control over any of the joint property within the meaning of the Regulation. Because Mr. Mascara cannot claim the house as his personal funds, he must fall back upon 11 C.F.R. § 110.10(b)(3) which provides that one half of his joint assets are considered his personal funds. See also Advisory Opinion 1991-10.<sup>3</sup> Hence, one half of the equity in the Mascara home may be considered Mr. Mascara's personal funds. Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(D), Mr. Mascara was

---

3. In Advisory Opinion 1991-10, the Commission previously found that a Pennsylvania candidate who held a residence in a tenancy by the entirety was entitled to consider one half the equity in the home as his personal funds.

97043773612

entitled to borrow up to \$27,500, the value of his half share in the \$55,000 property. The remaining \$12,500 of the loan appears to be a contribution by Mrs. Mascara.

The Committee's amended reports also disclose that three loans, totaling \$8,000, are actually draws on bank credit lines with the Mellon Bank and Integra Bank.<sup>4</sup> Bank statements attached to the Schedule C-1 list both Frank Mascara and Dolores Mascara on the accounts, suggesting that the credit lines at both banks are jointly owned.

It appears that \$12,500 of the \$40,000 bank loan is attributable to Mrs. Mascara and that half of the \$8,000 in credit line draws, or \$4,000, may also be attributable to her. Because Mrs. Mascara made a \$1,000 loan to the Committee prior to these transactions, the entire \$16,500 attributable to her via the loan guarantee and the credit line draws may be excessive. Therefore, there is reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 441a(f) by accepting the excessive contributions.

C. Violations Arising Out of Transfers from a Non-Federal Committee

Pursuant to regulations in effect prior to July 1, 1993, unlimited transfers between state and federal committees were permitted so long as the transfers were not composed of prohibited or excessive contributions. 11 C.F.R. § 110.3(c)(6). However, if more than \$1,000 was transferred from a state to a

4. The Committee originally reported a \$1,000 loan from the candidate on April 9, 1992, a \$5,000 loan from the candidate on April 21, 1992, and a \$2,000 loan from the candidate on April 24, 1992.

97043773613

federal committee in any calendar year, the state committee became a federal political committee subject to the registration and reporting requirements of the Act. 11 C.F.R. § 110.3(c)(6)(iii). A state committee which became a political committee as the result of a transfer was required to file an itemized report of the source of the funds in the committee's accounts at the time of the transfer. Id. The funds in the account, or the cash on hand balance, was presumed to be composed of those contributions most recently received by the committee. Id. A state committee could file for termination of its status as a political committee with its first report if it did not intend to make further transfers. Id. If the committee did terminate, it was required to re-register as a new committee and report any additional federal activity undertaken within the calendar year. 2 U.S.C. § 433(a).

The committee must have been able to demonstrate that the cash on hand balance contained sufficient funds raised in compliance with the limitations and prohibitions of the Act at the time of the transfer to cover the amount of the transfer. 11 C.F.R. § 110.3(c)(6)(i). Once a state committee crossed the \$1,000 threshold and became a political committee, the contribution limits of the Act applied to the committee and contributions by individuals to the federal committee and to the state committee, while the candidate was seeking federal office, were required to be aggregated. If the aggregate contribution was in excess of \$1,000, the excess portion also had to be excluded from the transfer. 11 C.F.R. § 110.3(c)(6)(ii). See also Advisory Opinion 1987-12.

On April 6, 1992, MCC properly registered as an authorized

97043773614

committee of the candidate, made a \$10,635 transfer to the Committee, and filed a report disclosing the source of the transferred funds. The report, which covered the period from March 27 and April 4, 1992, also acted as MCC's termination report. In correspondence attached to the report, Mr. Mascara stated that MCC "would cease further federal election activity." The termination request was granted on May 15, 1992. At the time of termination, MCC was informed, in writing, that they must re-register if they engaged in any further federal activity.

On April 16, 1992, just ten days after stating that it would cease federal activity, MCC transferred an additional \$40,000 to the Committee without reporting the transfer. Because termination status had not yet been granted, MCC was required to report this transaction. MCC also made five additional transfers totaling \$12,500 after the committee terminated in May 1992 but never re-registered or reported the transfers.<sup>5</sup> Accordingly, the Commission finds reason to believe that the Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. §§ 433(a) and 434 as a result of failing to register and report the transfers.

D. Violations Relating to Candidate Loans

1. \$40,000 Loan to MCC

A political committee must report all loans made to the committee, including loans made by, or guaranteed by, the candidate. 2 U.S.C. §§ 434(b)(2)(G), 432(b)(2)(H). Any candidate

---

5. The five transfers were \$2,500 on June 11, 1992; \$3,000 on August 11, 1992; \$1,000 on August 14, 1992; \$3,000 on September 9, 1992; and \$3,000 on May 5, 1993.

97043773615

who receives a loan for use in connection with a campaign for federal office is treated as having received the loan as an agent of the authorized committee and the loan must be reported and itemized as a loan from the original lender. 2 U.S.C.

§ 432(e)(2), 11 C.F.R. § 101.2. See also Advisory Opinion 1985-33. The committee must disclose the name of each person or entity who makes, endorses, or guarantees a loan to the committee or to the candidate as an agent of the committee, as well as the date such loan was made, and the amount and value of the loan. 2 U.S.C. § 434(b)(3)(E). Loans are debts of the committee and must be reported until they are extinguished. 2 U.S.C.

§ 434(b)(8), 11 C.F.R. § 104.11. Further, when a loan is received by a candidate as an agent for the committee, the repayment of the loan is reported and itemized as a disbursement to the lender. 2 U.S.C. §§ 434(b)(3)(E), 434(b)(5)(D), see also Advisory Opinion 1985-33.

As described above, the source of the \$40,000 transfer by MCC to the Committee on April 16, 1992, was a bank loan made to Frank and Dolores Mascara. The loan was made well after Mr. Mascara had become a candidate for federal office and was used in connection with his federal campaign. At the time of the loan, MCC was an authorized political committee subject to the reporting requirements of the Act. Hence, the loan should have been reported as a loan to MCC from the lender bank and also as a disbursement from MCC to the Committee. State reports also show transactions described as loan repayments made by MCC to Mr. and Mrs. Mascara accompanied by a corresponding drop in the balance owed by MCC on the \$40,000 loan. As noted, no federal

97043773616



reports were ever filed by MCC disclosing the receipt of the loan or its terms. Disclosure was also never made regarding repayments of the loan to the Mascaras. In addition, it is presently unknown whether MCC had sufficient permissible funds to make the loan repayments. Thus, there is reason to believe that the Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. § 434(b) by failing to report loans received by MCC and by failing to report payments on a loan used in connection with a federal election.

2. Lines of Credit

Under the Act, lines of credit are considered bank loans and are treated like bank loans. See 56 Fed. Reg. 67118, 67119 (December 27, 1991). When lines of credit are obtained by a candidate, the candidate acts as an agent of the committee, and the committee must disclose the original source of funds. 2 U.S.C. § 432(e)(2), 11 C.F.R. § 101.2. If the line of credit is established for campaign purposes, in its next report the committee must disclose the date of establishment, the amount of the line of credit, the interest rate and repayment schedule, and the source of repayment securing the line of credit. 2 U.S.C. § 434(b), 11 C.F.R. §§ 104.3(d), 100.7. If a line of credit predates a campaign, all of this information must be disclosed as soon as a draw is made upon the line of credit for campaign purposes. See Advisory Opinion 1994-26. Loans are debts of the committee and must be reported until they are extinguished. 2 U.S.C. § 434b(8), 11 C.F.R. § 104.11.

Three contributions originally reported as loans from the candidate to the Committee appear to be draws on jointly-owned

97043773617

lines of credit as discussed above. Documentation provided by the Committee indicates that the funds resulted from three draws on two apparently unsecured lines of credit. While at least one of the lines of credit appears to predate Mr. Mascara's 1992 congressional campaign, the reports reflect that all draws were made for campaign purposes. Commission regulations require that the contributions be reported as draws on pre-existing lines of credit with the candidate and his wife listed as guarantors in accordance with 11 C.F.R. § 104.3(d). Instead, the Committee has never fully reported the terms of the lines of credit or provided the other information indicating that they were obtained in the ordinary course of business as required by 11 C.F.R. § 104.3(d)(1)(i)-(v). In light of the foregoing, there is reason to believe Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(b).

**E. 48 Hour Violations**

The Act requires principal campaign committees of candidates for federal office to notify, in writing, either the Secretary of the U.S. Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to

97043773618

all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

The 1992 Pennsylvania primary election was held on April 28, 1992. The Committee was notified in writing that 48 hour notices would be required for contributions of \$1,000 or more received in the twenty days prior to the election or "during the period of April 9 through April 25." A review of the Committee's 1992 original and amended July Quarterly Reports identified thirty-four (34) contributions of \$1,000 or more received from April 9 through April 25, 1992, totaling \$76,000, for which respondents did not submit the required 48 hour notifications.

In response to an inquiry by RAD, the Committee states that the violations of the 48 hour notification provision are due to a misunderstanding regarding whether April 9 was included within the 48 hour notification period. There is no method of calculation by which April 9 is not within twenty days of the April 28th primary. Moreover, the Committee also failed to submit 48 hour notices for contributions received on four other days during the relevant period, including a notice for the \$40,000 loan transferred from MCC and received only eight days before the election.

Respondents did not submit the required 48 hour notices for the following contributions:

| <u>CONTRIBUTOR NAME</u>            | <u>DATE</u> | <u>AMOUNT</u> |
|------------------------------------|-------------|---------------|
| Thomas Lechner                     | 4/9/92      | \$1,000       |
| N. John Cunzolo                    | 4/9/92      | \$1,000       |
| Robert D. and Karen A. Clinton Jr. | 4/9/92      | \$1,000       |
| Charles F. and Laura Welker        | 4/9/92      | \$1,000       |
| Thomas J. and Christine Santone    | 4/9/92      | \$1,000       |
| C. Andrew Russell                  | 4/9/92      | \$1,000       |
| Janice A. Rea                      | 4/9/92      | \$1,000       |
| Donald E. Rea                      | 4/9/92      | \$1,000       |
| Thomas J. Murphey                  | 4/9/92      | \$1,000       |
| Thomas F. Mosure                   | 4/9/92      | \$1,000       |
| Robert J. and Deborah McGurk       | 4/9/92      | \$1,000       |
| Neal H. Holmes                     | 4/9/92      | \$1,000       |

97043173619

|                                    |         |                   |
|------------------------------------|---------|-------------------|
| Joseph M. Grochmal                 | 4/9/92  | \$1,000           |
| Charles A. and Deborah Gomulka     | 4/9/92  | \$1,000           |
| Charles A. and Deborah Gomulka     | 4/9/92  | \$1,000           |
| Anthony P. DeJulius                | 4/9/92  | \$1,000           |
| John F. Cambest                    | 4/9/92  | \$1,000           |
| Paul and Marilyn Apostolou         | 4/9/92  | \$1,000           |
| James R. Agras                     | 4/9/92  | \$1,000           |
| Electra P. Agras                   | 4/9/92  | \$1,000           |
| Maxine Miller                      | 4/9/92  | \$1,000           |
| Arthur J. Bedway                   | 4/9/92  | \$1,000           |
| Jon Mascara (loan)                 | 4/9/92  | \$1,000           |
| Louis Lignelli (loan)              | 4/9/92  | \$1,000           |
| Darlene Lignelli (loan)            | 4/9/92  | \$1,000           |
| Anthony and Dora Jean Vitale       | 4/10/92 | \$1,000           |
| Thomas Staochhausen                | 4/10/92 | \$1,000           |
| Joseph & Regina Saluucci           | 4/10/92 | \$1,000           |
| Charles S. Pryor                   | 4/17/92 | \$1,000           |
| Lisa Neil (loan)                   | 4/16/92 | \$1,000           |
| RRZPAC                             | 4/9/92  | \$5,000           |
| Frank Mascara (candidate loan)     | 4/9/92  | \$1,000           |
| Transfer reported as loan from MCC | 4/19/92 | \$40,000          |
| Frank Mascara                      |         | (\$27,500)        |
| Dolores Mascara                    |         | <u>(\$12,500)</u> |

TOTAL: \$76,000

Therefore, there is reason to believe Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

97043773620



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 23, 1995

Edward Mendola, Treasurer  
Mascara for Congress Committee  
831 Lincoln Ave.  
Charleroi, PA 15022

RE: MUR 4194

Dear Mr. Mendola:

On March 17, 1995, the Federal Election Commission found that there is reason to believe the Mascara for Congress Committee ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 434(a)(6)(A), 434(b) and 441a(f) provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is 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 your 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 pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

97043773621

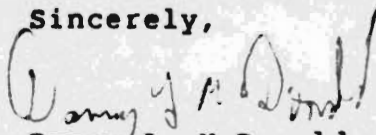
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Elizabeth Stein, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

  
Danny L. McDonald  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

cc: Honorable Frank Mascara

97043773622

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR 4194

RESPONDENTS: Mascara for Congress and  
Edward Mendola, as treasurer  
Mascara Campaign Committee and  
Judith A. Cap, as treasurer

I. GENERATION OF MATTER

970437733623

The matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437(g)(a)(2). The basis of the matter is the failure of Mascara for Congress and Edward Mendola, as treasurer, ("the Committee") to file forty-eight hour notifications ("48 Hour Notices") for contributions totaling \$76,000, and the Committee's acceptance of excessive contributions in connection with the 1992 Pennsylvania primary election. In addition to these matters, the facts also indicate the misreporting of candidate loans and transfers, as well as other possible violations arising from transfers from the candidate's affiliated non-federal committee, the Mascara Campaign Committee ("MCC"). Frank R. Mascara lost the 1992 primary election in the 20th Congressional District in Pennsylvania with 34% percent of the vote. Mr. Mascara subsequently won the 1994 general election for the same seat on November 8, 1994 with 53% of the vote.

II. FACTUAL AND LEGAL ANALYSIS

A. Background

On March 23, 1992, Mr. Mascara filed his Statement of Candidacy and designated Mascara for Congress as his principal

campaign committee for the 1992 congressional election. On April 6, 1992, Mr. Mascara designated MCC, his pre-existing state committee, as an authorized committee. MCC simultaneously registered with the Commission, reported a \$10,635 transfer to the Committee, and filed for termination, stating in a cover letter that MCC "will cease further federal election activity." MCC thereafter proceeded to make six additional transfers to the Committee, totaling \$52,500, including one transfer made only ten days after MCC filed its Request for Termination.<sup>1</sup> While the Committee reported the receipt of these funds, MCC failed to file the required disclosure reports divulging the source of the transferred funds. The Committee later revealed in response to an inquiry from RAD that the source of a \$40,000 transfer was a previously unreported bank loan made to the candidate and his wife. No disclosure has been made regarding the source of the other five transfers.

Because Pennsylvania law permits unlimited contributions from individuals and family members, this Office obtained MCC state reports to examine the source of the funds transferred by MCC. The state reports show that MCC financed federal activity by making undisclosed payments on the \$40,000 loan to the candidate and his wife. Finally, three contributions originally reported by the Committee as candidate loans from personal funds were actually

---

1. These transfers consisted of the following: A \$40,000 transfer on April 16, 1992; a \$2,500 transfer on June 11, 1992; a \$3,000 transfer on August 11, 1992; a \$1,000 transfer on August 14, 1992; a \$3,000 transfer on September 9, 1992; and a \$3,000 transfer on May 5, 1993. All the transfers were described as "loans" to the Committee. The June 11, 1992 transaction was originally reported as a loan from the candidate but is subsequently reported as a transfer from MCC.

97043773624



draws against bank credit lines. The possible violations arising from the above-referenced loans and transfers are discussed below.

**B. Excessive Contributions**

The Mascara for Congress Committee's 1992 October Quarterly Report, 1992 Amended July Quarterly Report and Schedule C-1, and accompanying documentation disclose that in 1992 the Committee accepted three contributions from individuals in excess of \$1,000.<sup>2</sup> The documents also indicate that additional excessive contributions were received in 1992, which are attributable to the candidate's wife, Dolores Mascara. The contributions include \$12,500 as a result of the \$40,000 bank loan secured with jointly held property, and as much as \$4,000 from three draws on jointly held lines of credit. The excessive contributions attributable to Mrs. Mascara were originally reported by the Committee as either loans from the candidate or as loans from MCC, the candidate's affiliated state committee.

Under the Act, no person may make a contribution to any candidate and his authorized political committees with respect to any election for Federal office which exceeds \$1,000, and no candidate or political committee may accept such contributions. 2 U.S.C. §§ 441a(a)(1) and 441a(f). The term

---

2. The Committee has refunded the \$1,550 in excessive contributions received from these three individuals but well outside the prescribed sixty day window. The Committee's 1992 October Quarterly Report discloses the receipt of excessive contributions from the three individuals between July 24 and August 21, 1992. However, it was not until the 1994 Twelve Day Pre-Primary reporting period, between April 1 and April 15, 1994 that the excessive contributions were refunded. The Committee's reports indicate that a sufficient sum to refund the excessive contributions had been raised by the 1993 Year-End reporting period.

97043773625

"contribution" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

2 U.S.C. § 431(8)(A). The term loan includes an endorsement, guarantee or any form of security. 11 C.F.R. § 100.7(a)(1)(i).

A loan is a contribution at the time it is made and remains a contribution to the extent that it remains unpaid. 11 C.F.R. § 100.7(a)(1)(i)(B). A loan is a contribution by each endorser or guarantor according to the portion of the total amount for which the endorser or guarantor is liable. 11 C.F.R.

§ 100.7(a)(1)(i)(C). A candidate may, however, obtain a loan which requires the spouse's signature when jointly owned assets are used as collateral or security without the spousal portion being considered a contribution. 11 C.F.R. § 100.7(a)(1)(i)(D). A candidate may make unlimited expenditures from personal funds. 11 C.F.R. § 110.10(a). Personal funds are defined as any assets which, under applicable state law, at the time he or she became a candidate, the candidate had a legal right of access to or control over, coupled with either legal and rightful title, or an equitable interest. 11 C.F.R. § 110.10(b)(1). The candidate's personal funds include the candidate's portion of assets jointly owned with his or her spouse. A spouse who signs a loan agreement pledging joint assets as collateral will not be considered to have contributed to the campaign so long as the value of the candidate's share of the asset equals or exceeds the amount of the loan. 11 C.F.R. § 100.7(a)(1)(i)(D), see also Advisory Opinion 1991-10.

Pursuant to 11 C.F.R. § 110.10(b)(3), the candidate's share

9704373626

of the joint assets shall be that portion which is the candidate's share of the assets under the instruments of conveyance or ownership. If no specific share is so indicated, the value of one-half of the property used shall be considered as personal funds of the candidate. 11 C.F.R. § 110.10(b)(3). A loan signed by both spouses which exceeds the candidate's share of joint assets used as collateral results in a contribution by the spouse.

The candidate in this matter is a resident of Pennsylvania. Under Pennsylvania law, when property is held by both a husband and a wife, a tenancy by the entirety is presumed to exist. Madden v. Gosztonyi Savings and Trust Inc., 200 A. 624, 628 (Pa. 1938). A tenancy by the entirety is a type of estate in real property in which husband and wife hold the property as a unit rather than in divisible shares. See Id. at 627. With regard to real property, neither spouse acting independently may dispose of any portion so as to work a severance of the estate, nor encumber the property in any way. DeBorrello v. Lauletta, 317 A.2d 254 (Pa. 1974), see also McCollum v. Braddock Trust Co., 198 A. 803 (Pa. 1938) (Holding that a husband may not increase a debt secured by jointly-held property without the consent of the wife). No agency relationship arises from a marital relationship and there is no presumption that either spouse has the authority to convey an interest in real estate held by the entireties without the other spouse's joinder. See DeBorrello, 317 A.2d at 255.

The Committee's 1992 Amended July Quarterly Report, submitted in response to an RFAI from RAD, reveals that the \$40,000 transfer characterized by the Committee as a loan from MCC originated from a bank loan to Mr. and Mrs. Mascara. The loan

97043773627

agreement attached to the Schedule C-1 is in the names of both Frank and Dolores Mascara and is signed by both of them. The Schedule C-1 indicates that the loan is secured by a personal residence valued at \$55,000. In response to a subsequent RFAI, the Committee confirmed that "the loans emanated from accounts jointly held by the candidate and the candidate's spouse." The Committee refused to make any refunds stating the candidate was "conservatively responsible for one hundred percent of all the assets jointly held."

9704377368

Since Mr. and Mrs. Mascara appear to own their house jointly in tenancy by the entirety, Mr. Mascara may not encumber the property or use the property as security for a loan without the approval of Mrs. Mascara. Because spouses may not individually convey or otherwise dispose of any interest in property without the signature of the other, banks insist upon both spouses' signatures in order to encumber joint assets. As a result, Mr. Mascara may have legal title to the whole of the jointly-owned property, but he does not have access to or control over any of the joint property within the meaning of the Regulation. Because Mr. Mascara cannot claim the house as his personal funds, he must fall back upon 11 C.F.R. § 110.10(b)(3) which provides that one half of his joint assets are considered his personal funds. See also Advisory Opinion 1991-10.<sup>3</sup> Hence, one half of the equity in the Mascara home may be considered Mr. Mascara's personal funds. Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(D), Mr. Mascara was

3. In Advisory Opinion 1991-10, the Commission previously found that a Pennsylvania candidate who held a residence in a tenancy by the entirety was entitled to consider one half the equity in the home as his personal funds.

entitled to borrow up to \$27,500, the value of his half share in the \$55,000 property. The remaining \$12,500 of the loan appears to be a contribution by Mrs. Mascara.

The Committee's amended reports also disclose that three loans, totaling \$8,000, are actually draws on bank credit lines with the Mellon Bank and Integra Bank.<sup>4</sup> Bank statements attached to the Schedule C-1 list both Frank Mascara and Dolores Mascara on the accounts, suggesting that the credit lines at both banks are jointly owned.

It appears that \$12,500 of the \$40,000 bank loan is attributable to Mrs. Mascara and that half of the \$8,000 in credit line draws, or \$4,000, may also be attributable to her. Because Mrs. Mascara made a \$1,000 loan to the Committee prior to these transactions, the entire \$16,500 attributable to her via the loan guarantee and the credit line draws may be excessive. Therefore, there is reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 441a(f) by accepting the excessive contributions.

C. Violations Arising Out of Transfers from a Non-Federal Committee

Pursuant to regulations in effect prior to July 1, 1993, unlimited transfers between state and federal committees were permitted so long as the transfers were not composed of prohibited or excessive contributions. 11 C.F.R. § 110.3(c)(6). However, if more than \$1,000 was transferred from a state to a

4. The Committee originally reported a \$1,000 loan from the candidate on April 9, 1992, a \$5,000 loan from the candidate on April 21, 1992, and a \$2,000 loan from the candidate on April 24, 1992.

97043773629

federal committee in any calendar year, the state committee became a federal political committee subject to the registration and reporting requirements of the Act. 11 C.F.R. § 110.3(c)(6)(iii). A state committee which became a political committee as the result of a transfer was required to file an itemized report of the source of the funds in the committee's accounts at the time of the transfer. Id. The funds in the account, or the cash on hand balance, was presumed to be composed of those contributions most recently received by the committee. Id. A state committee could file for termination of its status as a political committee with its first report if it did not intend to make further transfers. Id. If the committee did terminate, it was required to re-register as a new committee and report any additional federal activity undertaken within the calendar year. 2 U.S.C. § 433(a).

The committee must have been able to demonstrate that the cash on hand balance contained sufficient funds raised in compliance with the limitations and prohibitions of the Act at the time of the transfer to cover the amount of the transfer. 11 C.F.R. § 110.3(c)(6)(i). Once a state committee crossed the \$1,000 threshold and became a political committee, the contribution limits of the Act applied to the committee and contributions by individuals to the federal committee and to the state committee, while the candidate was seeking federal office, were required to be aggregated. If the aggregate contribution was in excess of \$1,000, the excess portion also had to be excluded from the transfer. 11 C.F.R. § 110.3(c)(6)(ii). See also Advisory Opinion 1987-12.

On April 6, 1992, MCC properly registered as an authorized

9704377363C

committee of the candidate, made a \$10,635 transfer to the Committee, and filed a report disclosing the source of the transferred funds. The report, which covered the period from March 27 and April 4, 1992, also acted as MCC's termination report. In correspondence attached to the report, Mr. Mascara stated that MCC "would cease further federal election activity." The termination request was granted on May 15, 1992. At the time of termination, MCC was informed, in writing, that they must re-register if they engaged in any further federal activity.

On April 16, 1992, just ten days after stating that it would cease federal activity, MCC transferred an additional \$40,000 to the Committee without reporting the transfer. Because termination status had not yet been granted, MCC was required to report this transaction. MCC also made five additional transfers totaling \$12,500 after the committee terminated in May 1992 but never re-registered or reported the transfers.<sup>5</sup> Accordingly, the Commission finds reason to believe that the Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. §§ 433(a) and 434 as a result of failing to register and report the transfers.

D. Violations Relating to Candidate Loans

1. \$40,000 Loan to MCC

A political committee must report all loans made to the committee, including loans made by, or guaranteed by, the candidate. 2 U.S.C. §§ 434(b)(2)(G), 432(b)(2)(H). Any candidate

5. The five transfers were \$2,500 on June 11, 1992; \$3,000 on August 11, 1992; \$1,000 on August 14, 1992; \$3,000 on September 9, 1992; and \$3,000 on May 5, 1993.

97043773631

who receives a loan for use in connection with a campaign for federal office is treated as having received the loan as an agent of the authorized committee and the loan must be reported and itemized as a loan from the original lender. 2 U.S.C.

§ 432(e)(2), 11 C.F.R. § 101.2. See also Advisory Opinion 1985-33. The committee must disclose the name of each person or entity who makes, endorses, or guarantees a loan to the committee or to the candidate as an agent of the committee, as well as the date such loan was made, and the amount and value of the loan. 2 U.S.C. § 434(b)(3)(E). Loans are debts of the committee and must be reported until they are extinguished. 2 U.S.C.

§ 434(b)(8), 11 C.F.R. § 104.11. Further, when a loan is received by a candidate as an agent for the committee, the repayment of the loan is reported and itemized as a disbursement to the lender. 2 U.S.C. §§ 434(b)(3)(E), 434(b)(5)(D), see also Advisory Opinion 1985-33.

As described above, the source of the \$40,000 transfer by MCC to the Committee on April 16, 1992, was a bank loan made to Frank and Dolores Mascara. The loan was made well after Mr. Mascara had become a candidate for federal office and was used in connection with his federal campaign. At the time of the loan, MCC was an authorized political committee subject to the reporting requirements of the Act. Hence, the loan should have been reported as a loan to MCC from the lender bank and also as a disbursement from MCC to the Committee. State reports also show transactions described as loan repayments made by MCC to Mr. and Mrs. Mascara accompanied by a corresponding drop in the balance owed by MCC on the \$40,000 loan. As noted, no federal

97043773632



reports were ever filed by MCC disclosing the receipt of the loan or its terms. Disclosure was also never made regarding repayments of the loan to the Mascaras. In addition, it is presently unknown whether MCC had sufficient permissible funds to make the loan repayments. Thus, there is reason to believe that the Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. § 434(b) by failing to report loans received by MCC and by failing to report payments on a loan used in connection with a federal election.

2. Lines of Credit

Under the Act, lines of credit are considered bank loans and are treated like bank loans. See 56 Fed. Reg. 67118, 67119 (December 27, 1991). When lines of credit are obtained by a candidate, the candidate acts as an agent of the committee, and the committee must disclose the original source of funds. 2 U.S.C. § 432(e)(2), 11 C.F.R. § 101.2. If the line of credit is established for campaign purposes, in its next report the committee must disclose the date of establishment, the amount of the line of credit, the interest rate and repayment schedule, and the source of repayment securing the line of credit. 2 U.S.C. § 434(b), 11 C.F.R. §§ 104.3(d), 100.7. If a line of credit predates a campaign, all of this information must be disclosed as soon as a draw is made upon the line of credit for campaign purposes. See Advisory Opinion 1994-26. Loans are debts of the committee and must be reported until they are extinguished. 2 U.S.C. § 434b(8), 11 C.F.R. § 104.11.

Three contributions originally reported as loans from the candidate to the Committee appear to be draws on jointly-owned

97043773633

lines of credit as discussed above. Documentation provided by the Committee indicates that the funds resulted from three draws on two apparently unsecured lines of credit. While at least one of the lines of credit appears to predate Mr. Mascara's 1992 congressional campaign, the reports reflect that all draws were made for campaign purposes. Commission regulations require that the contributions be reported as draws on pre-existing lines of credit with the candidate and his wife listed as guarantors in accordance with 11 C.F.R. § 104.3(d). Instead, the Committee has never fully reported the terms of the lines of credit or provided the other information indicating that they were obtained in the ordinary course of business as required by 11 C.F.R. § 104.3(d)(1)(i)-(v). In light of the foregoing, there is reason to believe Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(b).

E. 48 Hour Violations

The Act requires principal campaign committees of candidates for federal office to notify, in writing, either the Secretary of the U.S. Senate, the Clerk of the U.S. House of Representatives or the Commission, as appropriate, and the Secretary of State, of each contribution totaling \$1,000 or more, received by any authorized committee of the candidate after the 20th day but more than 48 hours before any election. 2 U.S.C. § 434(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. Id. The notification of these contributions shall be in addition to

97043773634

all other reporting requirements. 2 U.S.C. § 434(a)(6)(B).

The 1992 Pennsylvania primary election was held on April 28, 1992. The Committee was notified in writing that 48 hour notices would be required for contributions of \$1,000 or more received in the twenty days prior to the election or "during the period of April 9 through April 25." A review of the Committee's 1992 original and amended July Quarterly Reports identified thirty-four (34) contributions of \$1,000 or more received from April 9 through April 25, 1992, totaling \$76,000, for which respondents did not submit the required 48 hour notifications.

In response to an inquiry by RAD, the Committee states that the violations of the 48 hour notification provision are due to a misunderstanding regarding whether April 9 was included within the 48 hour notification period. There is no method of calculation by which April 9 is not within twenty days of the April 28th primary. Moreover, the Committee also failed to submit 48 hour notices for contributions received on four other days during the relevant period, including a notice for the \$40,000 loan transferred from MCC and received only eight days before the election.

Respondents did not submit the required 48 hour notices for the following contributions:

| <u>CONTRIBUTOR NAME</u>            | <u>DATE</u> | <u>AMOUNT</u> |
|------------------------------------|-------------|---------------|
| Thomas Lechner                     | 4/9/92      | \$1,000       |
| N. John Cunzolo                    | 4/9/92      | \$1,000       |
| Robert D. and Karen A. Clinton Jr. | 4/9/92      | \$1,000       |
| Charles F. and Laura Welker        | 4/9/92      | \$1,000       |
| Thomas J. and Christine Santone    | 4/9/92      | \$1,000       |
| C. Andrew Russell                  | 4/9/92      | \$1,000       |
| Janice A. Rea                      | 4/9/92      | \$1,000       |
| Donald E. Rea                      | 4/9/92      | \$1,000       |
| Thomas J. Murphey                  | 4/9/92      | \$1,000       |
| Thomas F. Mosure                   | 4/9/92      | \$1,000       |
| Robert J. and Deborah McGurk       | 4/9/92      | \$1,000       |
| Neal H. Holmes                     | 4/9/92      | \$1,000       |

97043773675

|                                    |         |            |
|------------------------------------|---------|------------|
| Joseph M. Grochmal                 | 4/9/92  | \$1,000    |
| Charles A. and Deborah Gomulka     | 4/9/92  | \$1,000    |
| Charles A. and Deborah Gomulka     | 4/9/92  | \$1,000    |
| Anthony P. DeJulius                | 4/9/92  | \$1,000    |
| John F. Cambest                    | 4/9/92  | \$1,000    |
| Paul and Marilyn Apostolou         | 4/9/92  | \$1,000    |
| James R. Agras                     | 4/9/92  | \$1,000    |
| Electra P. Agras                   | 4/9/92  | \$1,000    |
| Maxine Miller                      | 4/9/92  | \$1,000    |
| Arthur J. Bedway                   | 4/9/92  | \$1,000    |
| Jon Mascara (loan)                 | 4/9/92  | \$1,000    |
| Louis Lignelli (loan)              | 4/9/92  | \$1,000    |
| Darlene Lignelli (loan)            | 4/9/92  | \$1,000    |
| Anthony and Dora Jean Vitale       | 4/10/92 | \$1,000    |
| Thomas Staockhausen                | 4/10/92 | \$1,000    |
| Joseph & Regina Saluucci           | 4/10/92 | \$1,000    |
| Charles S. Pryor                   | 4/17/92 | \$1,000    |
| Lisa Neil (loan)                   | 4/16/92 | \$1,000    |
| RRZPAC                             | 4/9/92  | \$5,000    |
| Frank Mascara (candidate loan)     | 4/9/92  | \$1,000    |
| Transfer reported as loan from MCC | 4/19/92 | \$40,000   |
| Frank Mascara                      |         | (\$27,500) |
| Dolores Mascara                    |         | (\$12,500) |

TOTAL: \$76,000

Therefore, there is reason to believe Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

97043773676



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**March 23, 1995**

**Dolores Mascara  
831 Lincoln Ave.  
Charerloi, PA 15022**

**RE: MUR 4194**

**Dear Mrs. Mascara:**

On March 17, 1995, the Federal Election Commission found that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is 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 your 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 pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

97043773637

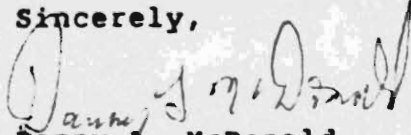
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Elizabeth Stein, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Danny L. McDonald  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

97043773638

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR 4194

RESPONDENT: Dolores Mascara

I. GENERATION OF MATTER

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437(g)(a)(2). The basis of the matter is the acceptance of excessive contributions in connection with the 1992 Pennsylvania primary election by Mascara for Congress and Edward Mendola, as treasurer, ("the Committee"). Frank R. Mascara lost the 1992 primary election in the 20th Congressional District in Pennsylvania with 34% percent of the vote. Mr. Mascara subsequently won the 1994 general election for the same seat on November 8, 1994 with 53% of the vote.

II. FACTUAL AND LEGAL ANALYSIS

B. Excessive Contributions

The Mascara for Congress Committee's 1992 October Quarterly Report, 1992 Amended July Quarterly Report and Schedule C-1, and accompanying documentation disclose that in 1992 the Committee accepted three contributions from individuals in excess of \$1,000. The documents also indicate that additional excessive contributions were received in 1992, which are attributable to the candidate's wife, Dolores Mascara. The contributions include \$12,500 as a result of the \$40,000 bank loan secured with jointly held property, and as much as \$4,000 from three draws on jointly

97043773679

held lines of credit. The excessive contributions attributable to Mrs. Mascara were originally reported by the Committee as either loans from the candidate or as loans from MCC, the candidate's affiliated state committee.

Under the Act, no person may make a contribution to any candidate and his authorized political committees with respect to any election for Federal office which exceeds \$1,000, and no candidate or political committee may accept such contributions. 2 U.S.C. §§ 441a(a)(1) and 441a(f). The term "contribution" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

2 U.S.C. § 431(8)(A). The term loan includes an endorsement, guarantee or any form of security. 11 C.F.R. § 100.7(a)(1)(i).

A loan is a contribution at the time it is made and remains a contribution to the extent that it remains unpaid. 11 C.F.R. § 100.7(a)(1)(i)(B). A loan is a contribution by each endorser or guarantor according to the portion of the total amount for which the endorser or guarantor is liable. 11 C.F.R.

§ 100.7(a)(1)(i)(C). A candidate may, however, obtain a loan which requires the spouse's signature when jointly owned assets are used as collateral or security without the spousal portion being considered a contribution. 11 C.F.R. § 100.7(a)(1)(i)(D). A candidate may make unlimited expenditures from personal funds. 11 C.F.R. § 110.10(a). Personal funds are defined as any assets which, under applicable state law, at the time he or she became a candidate, the candidate had a legal right of access to or control over, coupled with either legal and rightful title, or an

9704377361C



equitable interest. 11 C.F.R. § 110.10(b)(1). The candidate's personal funds include the candidate's portion of assets jointly owned with his or her spouse. A spouse who signs a loan agreement pledging joint assets as collateral will not be considered to have contributed to the campaign so long as the value of the candidate's share of the asset equals or exceeds the amount of the loan. 11 C.F.R. § 100.7(a)(1)(i)(D), see also Advisory Opinion 1991-10.

Pursuant to 11 C.F.R. § 110.10(b)(3), the candidate's share of the joint assets shall be that portion which is the candidate's share of the assets under the instruments of conveyance or ownership. If no specific share is so indicated, the value of one-half of the property used shall be considered as personal funds of the candidate. 11 C.F.R. § 110.10(b)(3). A loan signed by both spouses which exceeds the candidate's share of joint assets used as collateral results in a contribution by the spouse.

The candidate in this matter is a resident of Pennsylvania. Under Pennsylvania law, when property is held by both a husband and a wife, a tenancy by the entirety is presumed to exist. Madden v. Gosztonyi Savings and Trust Inc., 200 A. 624, 628 (Pa. 1938). A tenancy by the entirety is a type of estate in real property in which husband and wife hold the property as a unit rather than in divisible shares. See Id. at 627. With regard to real property, neither spouse acting independently may dispose of any portion so as to work a severance of the estate, nor encumber the property in any way. DeBorrello v. Lauletta, 317 A.2d 254 (Pa. 1974), see also McCollum v. Braddock Trust Co., 198 A. 803 (Pa. 1938) (Holding that a husband may not increase a debt secured

97043773641

by jointly-held property without the consent of the wife). No agency relationship arises from a marital relationship and there is no presumption that either spouse has the authority to convey an interest in real estate held by the entireties without the other spouse's joinder. See DeBorrello, 317 A.2d at 255.

The Committee's 1992 Amended July Quarterly Report, submitted in response to an RFAI from RAD, reveals that the \$40,000 transfer characterized by the Committee as a loan from MCC originated from a bank loan to Mr. and Mrs. Mascara. The loan agreement attached to the Schedule C-1 is in the names of both Frank and Dolores Mascara and is signed by both of them. The Schedule C-1 indicates that the loan is secured by a personal residence valued at \$55,000. In response to a subsequent RFAI, the Committee confirmed that "the loans emanated from accounts jointly held by the candidate and the candidate's spouse." The Committee refused to make any refunds stating the candidate was "conservatively responsible for one hundred percent of all the assets jointly held."

Since Mr. and Mrs. Mascara appear to own their house jointly in tenancy by the entirety, Mr. Mascara may not encumber the property or use the property as security for a loan without the approval of Mrs. Mascara. Because spouses may not individually convey or otherwise dispose of any interest in property without the signature of the other, banks insist upon both spouses' signatures in order to encumber joint assets. As a result, Mr. Mascara may have legal title to the whole of the jointly-owned property, but he does not have access to or control over any of the joint property within the meaning of the Regulation. Because

97043773612

Mr. Mascara cannot claim the house as his personal funds, he must fall back upon 11 C.F.R. § 110.10(b)(3) which provides that one half of his joint assets are considered his personal funds. See also Advisory Opinion 1991-10.<sup>1</sup> Hence, one half of the equity in the Mascara home may be considered Mr. Mascara's personal funds. Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(D), Mr. Mascara was entitled to borrow up to \$27,500, the value of his half share in the \$55,000 property. The remaining \$12,500 of the loan appears to be a contribution by Mrs. Mascara.

The Committee's amended reports also disclose that three loans, totaling \$8,000, are actually draws on bank credit lines with the Mellon Bank and Integra Bank.<sup>2</sup> Bank statements attached to the Schedule C-1 list both Frank Mascara and Dolores Mascara on the accounts, suggesting that the credit lines at both banks are jointly owned.

It appears that \$12,500 of the \$40,000 bank loan is attributable to Mrs. Mascara and that half of the \$8,000 in credit line draws, or \$4,000, may also be attributable to her. Because Mrs. Mascara made a \$1,000 loan to the Committee prior to these transactions, the entire \$16,500 attributable to her via the loan guarantee and the credit line draws may be excessive. Therefore, there is reason to believe that Dolores Mascara violated 2 U.S.C.

---

1. In Advisory Opinion 1991-10, the Commission previously found that a Pennsylvania candidate who held a residence in a tenancy by the entirety was entitled to consider one half the equity in the home as his personal funds.

2. The Committee originally reported a \$1,000 loan from the candidate on April 9, 1992, a \$5,000 loan from the candidate on April 21, 1992, and a \$2,000 loan from the candidate on April 24, 1992.

97043773643

§ 441a(a)(1)(A) by making excessive contributions to Mascara for Congress.

97043773614



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

March 23, 1995

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

The Honorable Frank Mascara  
831 Lincoln Ave.  
Charleroi, PA 15022

RE: MUR 4194

Dear Congressman Mascara:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached Order to Answer Interrogatories and Subpoena to Produce Documents which requires you to provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, you are required to submit the information to the Office of General Counsel within 30 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

If you have any questions, please contact me at (800) 424-9530.

Sincerely,

Elizabeth Stein  
Attorney

Enclosure  
Subpoena and Order

97043773645

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
) MUR 4194  
)

SUBPOENA TO PRODUCE DOCUMENTS  
ORDER TO SUBMIT WRITTEN ANSWERS

TO: The Honorable Frank R. Mascara  
831 Lincoln Ave.  
Charleroi, PA 15022

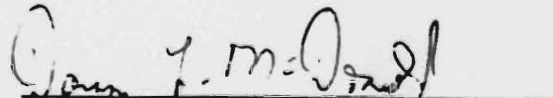
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

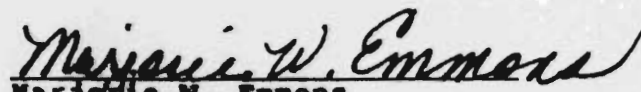
97043773646

WHEREFORE, the Chairman of the Federal Election Commission  
has hereunto set his hand in Washington, D.C. on this  
*22nd*, day of *March*, 1995.

For the Commission,

  
\_\_\_\_\_  
Danny L. McDonald  
Chairman

ATTEST:

  
\_\_\_\_\_  
Marjorie W. Emmons  
Secretary to the Commission

Attachments  
Questions and Document Request

97043773647

QUESTIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from 1992 to present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

97043773618



DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

9704373619

INTERROGATORIES AND REQUESTS FOR DOCUMENTS

1. With regard to the \$40,000 loan obtained by you and Dolores Mascara from the Charleroi Federal Saving Bank on April 19, 1992, please provide the following information:
  - a. State what asset(s) or other forms of security were provided to the Charleroi Bank in order to obtain the loan, and identify any of the assets or security jointly owned with your wife, Dolores Mascara.
  - b. Identify and produce all documents submitted to the lending institution and all documents signed by you or your wife, Dolores Mascara, in connection with the loan.
  - c. State whether this loan has been renegotiated at any time since 1992.
    - i) If so, provide any additional documents memorializing this renegotiation and describe any assets or other security pledged as collateral for the renegotiated loan.
    - ii) State the current balance of the loan and produce all documents including bank statements reflecting payments made on this loan between 1992 and the present.
  
2. With regard to the Revolving Line of Credit obtained by you and Dolores Mascara from the Integra Bank of Charleroi, Pennsylvania, please provide the following information:
  - a. State what asset(s) or other forms of security were provided to the Integra Bank in order to obtain the line of credit, and identify any of the assets or security jointly owned with your wife Dolores Mascara.
  - b. State when the line of credit was originally obtained.
  - c. State the purpose for which the line of credit was originally obtained.

9704377365C

INTERROGATORIES AND REQUESTS FOR DOCUMENTS

1. With regard to the \$40,000 loan obtained by you and Dolores Mascara from the Charleroi Federal Saving Bank on April 19, 1992, please provide the following information:
  - a. State what asset(s) or other forms of security were provided to the Charleroi Bank in order to obtain the loan, and identify any of the assets or security jointly owned with your wife, Dolores Mascara.
  - b. Identify and produce all documents submitted to the lending institution and all documents signed by you or your wife, Dolores Mascara, in connection with the loan.
  - c. State whether this loan has been renegotiated at any time since 1992.
    - i) If so, provide any additional documents memorializing this renegotiation and describe any assets or other security pledged as collateral for the renegotiated loan.
    - ii) State the current balance of the loan and produce all documents including bank statements reflecting payments made on this loan between 1992 and the present.
2. With regard to the Revolving Line of Credit obtained by you and Dolores Mascara from the Integra Bank of Charleroi, Pennsylvania, please provide the following information:
  - a. State what asset(s) or other forms of security were provided to the Integra Bank in order to obtain the line of credit, and identify any of the assets or security jointly owned with your wife Dolores Mascara.
  - b. State when the line of credit was originally obtained.
  - c. State the purpose for which the line of credit was originally obtained.

97043173651

- d. Identify and produce all documents submitted to the lending institution and all documents signed by you or your wife, Dolores Mascara, in connection with the line of credit.
  - e. Identify and produce all documents including bank statements reflecting draws or payments on this line of credit between January 1, 1992 and the present.
3. With regard to the Personal Line of Credit obtained by you and Dolores Mascara from the Mellon Bank of Charleroi, Pennsylvania, please provide the following information:
- a. State what asset(s) or other forms of security were provided to the Mellon Bank in order to obtain the line of credit, and identify any of the assets or security jointly owned with your wife Dolores Mascara.
  - b. State when the line of credit was originally obtained.
  - c. State the purpose for which the line of credit was originally obtained.
  - d. Identify and produce all documents submitted to the lending institution and all documents signed by you or your wife, Dolores Mascara, in connection with the line of credit.
  - e. Identify and produce all documents including bank statements reflecting draws or payments on this line of credit between January 1, 1992 and the present.

97043773652

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: (202) 628-6600 · FACSIMILE: (202) 434-1690

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Apr 4 11 40 AM '95

**March 31, 1995**

**By Facsimile and Certified Mail**

Elizabeth Stein, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
6th Floor  
Washington, DC 20463

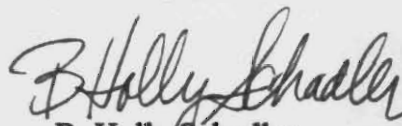
**Re: MUR 4194**

Dear Ms. Stein:

On behalf of the Mascara for Congress Committee and Edward Mendola, as treasurer; Delores Mascara; Mascara Campaign Committee and Judith A. Cap, as treasurer; and Congressman Frank Mascara, we request an extension of time to respond to the complaint enclosed with your letter dated March 23, 1995.

Due to the recent designation of Perkins Coie as counsel (attached), we do not have an adequate opportunity to respond. An extension of time is necessary in order to review the record, have an adequate opportunity to discuss the issues with our client, collect factual information, and prepare a comprehensive response. Therefore, we are requesting an extension to respond to the Factual and Legal Analysis in this case until April 30, 1995, and to the Order to Answer Interrogatories and Subpoena to Produce Documents until May 10, 1995.

Sincerely,

  
B. Holly Schadler  
Counsel for Respondents

Attachment

[04031-0001/DA950900.022]

97043773653

**STATEMENT OF DESIGNATION OF COUNSEL**

**MUR** 4194

**NAME OF COUNSEL:** Robert E. Bauer/B. Holly Schadler

**ADDRESS:** Perkins Coie  
607 14th Street, N.W., Suite 800  
Washington, D.C. 20005-2011

**TELEPHONE:** (202) 628-6600

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.

3.31.95  
Date

Edward Mendola  
Signature

**RESPONDENT'S NAME:** EDWARD MENDOLA, Treasurer, Mascara for Congress  
Committee

**ADDRESS:** ROUTE 201 P.O. BOX 1032  
BELLE VERNON PA 15012

**HOME PHONE:** 412-812-7429

**BUSINESS PHONE:** 412-929-9150

97043773654

STATEMENT OF DESIGNATION OF COUNSEL

**NO.** 4194

**NAME OF COUNSEL:** Robert F. Bauer/B. Holly Schadler

**ADDRESS:** Perkins Cole  
607 14th Street, N.W., Suite 800  
Washington, D.C. 20005-2011

**TELEPHONE:** (202) 628-6600

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.

Date \_\_\_\_\_

Delores Mascara  
Signature

**RESPONDENT'S NAME:** Delores Mascara

**ADDRESS:** 831 Lincoln Avenue  
Charerloi, PA 15022

**HOME PHONE:** \_\_\_\_\_

**BUSINESS PHONE:** \_\_\_\_\_

97043773655

**STATEMENT OF DESIGNATION OF COUNSEL**

**NR** 4194

**NAME OF COUNSEL:** Robert E. Bauer/B. Holly Schadler

**ADDRESS:** Perkins Cole

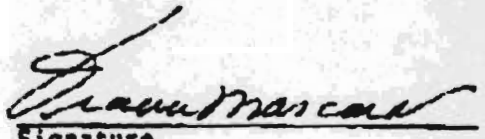
607 14th Street, N.W., Suite 800

Washington, D.C. 20005-2011

**TELEPHONE:** (202) 628-6600

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.

Date \_\_\_\_\_

  
Signature

**RESPONDENT'S NAME:** Frank R. Mascara

**ADDRESS:** 831 Lincoln Avenue  
Charleroi, PA 15022

**HOME PHONE:** \_\_\_\_\_  
**BUSINESS PHONE:** \_\_\_\_\_

97043773656



**STATEMENT OF DESIGNATION OF COUNSEL**

**NO.** 4194

**NAME OF COUNSEL:** Robert F. Bauer/B. Holly Schadler

**ADDRESS:** Perkins Coie

607 14th Street, N.W., Suite 800

Washington, D.C. 20005-2011

**TELEPHONE:** (202) 628-6600

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.

MARCH 31, 1995  
Date

Judith Cap  
Signature

**RESPONDENT'S NAME:** JUDITH CAP, Treasurer, Mascara Campaign Committee

**ADDRESS:** 18 MAPLE DRIVE

CHARLOTTE, PA 15022

**HOME PHONE:** (412) 389-4831

**BUSINESS PHONE:** (412) 320-6728

97043773657



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 4, 1995

VIA MAIL AND FACSIMILE

B. Holly Schadler  
Perkins Coie  
607 Fourteenth St. N.W.  
Washington, D.C. 20005

RE: MUR 4194  
Mascara for Congress Committee  
Edward Mendola, Treasurer, et. al.

Dear Ms. Schadler:

This is in response to your letter dated March 31, 1995, requesting an extension of five days until Monday, May 1, 1995, to respond to the Factual and Legal analyses in this matter, and an extension of 14 days, until Wednesday, May 14, 1995, to respond to Order to Answer Interrogatories and Subpoena to Produce Documents. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your responses are due by the close of business on May 1, 1995 and your responses to discovery are due by the close of business on May 14, 1995.

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

Sincerely,

*Beth Stein*

Elizabeth Stein  
Attorney

97043773658

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. - WASHINGTON, D.C. 20005-2011  
TELEPHONE: (202) 628-6600 · FACSIMILE: (202) 434-1690

April 25, 1995

MAR 25 5 09 PM '95  
RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

**By Facsimile**

Ms. Elizabeth Stein  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 4194

Dear Ms. Stein:

Pursuant to our conversation regarding the filing of our response to the Factual and Legal Analysis, we understand that our response will be due on May 5, 1995.

Sincerely,

*Holly Schadler*  
B. Holly Schadler

97043773659

[23607-6001/DA951130.053]

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: (202) 628-6600 · FACSIMILE: (202) 434-1690

May 5, 1995

MAY 5 4 49 PM '95  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE CHIEF COUNSEL

Elizabeth Stein, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
6th Floor  
Washington, D.C. 20463

**Re: MUR 4194 - Mascara for Congress Committee,  
Edward Mendola, as Treasurer; Mascara Campaign Committee,  
Judith A. Cap, as Treasurer; and Dolores Mascara**

Dear Ms. Stein:

This letter constitutes a response on behalf of Mascara for Congress Committee ("Mascara for Congress"), and Edward Mendola, as Treasurer; Mascara Campaign Committee ("State Committee"), Judith A. Cap, as Treasurer; and Dolores Mascara (hereinafter collectively referred to as "Respondent") to Chairman McDonald's letters dated March 23, 1995 in this matter.

The issues in this matter arise from activities of the State Committee and Mascara for Congress during the 1992 primary election.<sup>1</sup> This election took place in unusual circumstances caused by the uncertainty in Pennsylvania's redistricting process and the compressed time period in which the primary candidates had to organize and execute their campaigns. Pennsylvania was one of the last states in the country to complete its redistricting plan. See Exhibit 1. Even after the legislature completed its work, the district lines were challenged in court. The final decision of the court was handed down in March.

---

<sup>1</sup> The Factual and Legal Analysis refers to three excessive contributions received by the campaign which were later refunded. Pursuant to our conversation of April 24, it is our understanding that the Commission has decided to take no further action on these contributions. Therefore, I have not addressed them in this letter.

[23607-0001/DA951100.064]

9704377366C

Elizabeth Stein, Esq.  
May 5, 1995  
Page 2

As a consequence, because campaigns got off to a late start, perspective candidates learned about the configuration of their districts only at the last moment. Therefore, Congressman Mascara had only five weeks from the day he organized his campaign on March 23, 1992, to the date of the primary election, April 28, to organize and conduct his campaign.

In these circumstances, errors occurred in arranging for financing of the campaign and in other aspects of administration and reporting. Congressman Mascara had never run for federal office and he and his staff were not acquainted with the Federal Election Campaign Act (the "Act"). Still, as described more fully below, every effort was made to disclose all activity of the campaign and to comply fully with the requirements of the Act. In its original reports and in response to all subsequent inquiries from the FEC, including the request for additional information dated August 24, 1993, the Congress Committee worked diligently to ensure that the public record was complete and any inadvertent errors were corrected.

#### Bank Loan to Mascara for Congress

Problems in the treatment and reporting of the \$40,000 loan to Mascara for Congress resulted in large measure from changes in the Commission's regulations which caught the campaign unaware. Congressman Mascara initiated his six week campaign on March 23; on April 1, seven days later, the Commission's revised regulations on Loans from Lending Institutions to Candidates became effective. These regulations instituted major changes regarding the collateral required to secure a loan, as well as the reporting requirements to disclose a loan. Even the Campaign Guide for Congressional Candidates and Committees, a key reference manual for all candidates and their treasurers, did not reflect these revised requirements.

Mascara for Congress did not learn in time of these changes which, as noted, became effective during the compressed, hurried early days of a five-week campaign. Moreover, because of the compressed schedule, Congressman Mascara needed to raise money quickly for his campaign. In particular, by April 16, the campaign was required to either purchase its pre-election media or forego the opportunity to run advertisements. In order to raise the necessary capital, Congressman Mascara borrowed money under terms and conditions that he understood were fully legal under federal law. In accordance with the regulations in effect until April 1, the loan bore

97043173661

Elizabeth Stein, Esq.  
May 5, 1995  
Page 3

the bank's usual and customary interest rate; was made on the basis that ensured repayment; was evidenced by a written instrument and was subject to a due date. 11 C.F.R. § 100.7(b)(11). Congressman Mascara borrowed \$40,000 at 7.5 percent interest from the Charleroi Federal Savings Bank. The substantial assets Mr. Mascara had at the bank served as collateral for the loan.

Indeed, as evidenced by the Affidavit of Joel Rebovich, Vice President of Charleroi Bank, Congressman Mascara and his wife had combined net assets of approximately that could have served as collateral for this loan. See Exhibit 2. Even if these assets were considered jointly owned property with his wife under Pennsylvania law, fifty percent of this amount would have been more than sufficient collateral to cover the \$40,000 loan. The bank could have proceeded against any of Congressman Mascara's assets in the bank in the event he did not repay the loan or defaulted in some way. See Rebovich Aff. ¶ 7.

Once secured, the funds were used immediately by Mascara for Congress to purchase media advertisements for the campaign.

While there may have been errors made in reporting the \$40,000 loan, every effort was made at the time to ensure that it was fully disclosed. And, every effort has been made since that time to correct any deficiencies in the original reports. The loan was initially disclosed on the State Committee's Pennsylvania report filed on May 28, 1992. See Exhibit 3. The loan was also disclosed on line 12 of the Mascara for Congress July 15 Quarterly report covering the period April 9 through June 30, 1992. Until April 1, FEC regulations required only that a loan be disclosed on Schedule C. There was no requirement to disclose the terms and conditions of a loan on a Schedule C-1 or provide a copy of the underlying loan document.

Subsequently, in response to a request for additional information dated August 24, 1993, Mascara for Congress amended its original report to include Schedules C and C-1 describing the loan in more detail. At that time the campaign also provided the promissory note evidencing the loan.

On December 2, 1993, the Congress Committee responded to the Commission's request for information regarding the nature of the collateral to secure the loan. In preparing its response, the Committee consulted with its Reports Analyst, Heather

97043773662

Elizabeth Stein, Esq.  
May 5, 1995  
Page 4

Toomey. Based on those conversations, the Mascara staff understood that the Congressman's personal residence alone was sufficient collateral to secure the loan. The estimated value of the residence was \$55,000, apparently an amount in excess of the value of the loan. Congressman Mascara was the sole income earner in his family. His wife had not worked outside the home during the thirty-five years since their marriage. Therefore, he understood that he held one hundred percent of the interest in their residence. Only upon receiving the Commission's reason to believe finding did the Committee become aware that there was any question about the sufficiency of the collateral for the loan or about whether the loaned funds constituted personal funds of the Congressman.

Moreover, at no time did Mrs. Mascara ever consider or understand that any part of the \$40,000 loan to the campaign constituted a contribution to the campaign by her. See Affidavit of Delores Mascara, Exhibit 4. While she signed the promissory note, she had no idea that the loan fund could be attributed to her in any manner under federal campaign law.

While the Committees acknowledge that errors were made in its original disclosure, the public record nevertheless reflected the essential information from the start -- \$40,000 had been loaned to Mascara for Congress to make last minute expenditures for the campaign. At no time was there any attempt or intention to withhold information from the public record. Indeed, both the federal and state reports demonstrate a good faith effort to account for all activities of the committees. The staff and volunteers for Mascara for Congress were simply unaware that a Schedule C and C-1 were required to disclose this transaction.

Even after the campaign ended, the Congress Committee diligently amended its reports to ensure full compliance with the Act. Schedules C and C-1 were filed. Moreover, the Congress Committee has been careful to comply fully with the disclosure requirements for the 1994 campaign and beyond.

#### Lines of Credit

Congressman Mascara also loaned funds to his Congressional Committee by borrowing against personal lines of credit during April, 1992. These lines of credit were established at Mellon Bank and Integra Bank on December 27, 1984 and

97043173663

Elizabeth Stein, Esq.  
May 5, 1995  
Page 5

August 16, 1984, respectively. Thus, he had them long before he decided to run for Congress in 1992. Congressman Mascara had also borrowed against these lines of credit numerous times before he initiated his Congressional campaign. The Integra Bank line of credit was in his name only; his wife was not named as a borrower or required to sign the draw funds. Congressman Mascara considered the funds personal funds, not really in the nature of loans to him from the bank when he drew upon them.

Again, each of the underlying loans to Mascara for Congress were disclosed in the Committee's reports on Schedule C as loans from Congressman Mascara. As with the loan, the Committee was not aware that requirements for additional or more detailed disclosure had recently become effective. Indeed, one of the significant changes made in the bank loan regulations, taking effect only weeks before, was to subject lines of credit to the same reporting requirements as other bank loans. See FEC Record (Feb. 1992). By the Commission's own admission the rules as to lines of credit were unclear at best.

Nevertheless, Mascara for Congress made every effort to ensure that the funds used for the campaign were fully disclosed in as clear a manner as possible. Neither Congressman Mascara nor his wife had any idea that any part of these lines of credit would be attributable to Mrs. Mascara. Indeed, the Integra credit line was held in Congressman Mascara's name alone. As discussed above, Congressman Mascara had earned and provided all of the family income during their marriage. Therefore, they both assumed without question that he was entitled to deem funds available through these lines of credit as his "personal funds". They simply did not realize that the question of whose funds they were turned on federal or state law.

#### Transfers to Mascara Congress Committee

As the Factual and Legal Analysis notes, Congressman Mascara registered the State Committee on April 6, 1992, as an authorized committee, transferred \$10,635 to Mascara for Congress and terminated the Committee under federal law. The purpose of registering was to transfer funds already raised in his local committee. At the time, such transfers were permissible under the Act so long as the funds transferred were not raised from prohibited sources or in amounts exceeding federal limits.

97043773664



Elizabeth Stein, Esq.  
May 5, 1995  
Page 6

Subsequently, the State Committee transferred additional funds to Mascara for Congress. The first transfer was for \$40,000. The State Committee understood, as discussed above, that this amount was made up wholly of personal funds of the candidate and, therefore, permissible. This and subsequent transfers in the amount of \$12,500 were disclosed on the State Committee's Pennsylvania State Report and the Congress Committee's federal report in a timely manner.

9 7 0 4 3 7 7 3 6 6 5

Reports of the State Committee were prepared and filed with the FEC solely for the purpose of disclosing these transfers and any other federal related activity. See Affidavit of Judith Cap ¶¶ 4, 5, Exhibit 5. Pennsylvania law required only that the Committee file one Annual Report during a nonelection year. The Committee, however, filed pre-election and post-election reports in order to ensure that all activity of the State Committee was on the public record. There was no attempt to conceal any activity. Indeed, both the State Committee and Mascara for Congress made every effort to keep the public informed through their reports. It was an oversight that the State Committee's registration was not reactivated. Noone understood that such a step was necessary.

The State Committee has dissolved and terminated its registration with the Pennsylvania Bureau of Commissions, Elections and Legislation. It has no funds, assets or bank account. It fully disclosed all financial activity through the date of its termination.

#### 48 Hour Reporting Requirements

Mascara for Congress submitted letters of notification on thirty-two last minute contributions totaling \$37,000 during the 48 hour reporting period. While the staff made diligent efforts to comply with this reporting requirements, there was a misunderstanding of the precise dates covered under the 48-hour reporting period.

The staff made a calculating error in determining what day the last minute reporting period began. Therefore, as evidenced by the list of contributions that were not reported on 48-hour statements, the staff understood that the initial date for reporting was April 10 not April 9. Twenty-seven contributions were received on April 9 in the amount of \$31,000 which the Committee did not understand were required to be reported.

Elizabeth Stein, Esq.  
May 5, 1995  
Page 7

In addition, several contributions were overlooked in the rush of this unusually short and hastily assembled campaign. Moreover, because the Committee did not understand that loans were subject to the 48-hour reporting, the three loans received during the last minute reporting period were also overlooked.

As demonstrated through correspondence with the Commission, the two Committees have worked diligently to ensure that any errors made due to their lack of experience with federal law were corrected promptly and thoroughly. Moreover, at no time was the public significantly deprived of the essential information regarding the financing of Congressman Mascara's 1992 campaign. They have worked hard to improve and perfect their procedures for the 1994 and future campaigns.

Respondents are interested in pursuing pre-probable cause conciliation in an effort to resolve this matter.

Sincerely,



Robert F. Bauer  
B. Holly Schadler  
Counsel to Respondents

Enclosures

97043773666

**Exhibit 1**

97043773617

**HOLLAND** were tipped off that Holloman was spotted near homes in Mingo County and captured him about 7:30 p.m., according to Kendall Simpson, a deputy sheriff. **PHOTO BY AP/WIDEWORLD**

**Tornado grief**

Phillip and Carrie Lewis lay one another as family members search the remains of their mobile home, destroyed by a tornado Tuesday. The couple hid in the bathroom when the blizzard hit. Both received minor injuries. Ten of 13 mobile homes in the park near Montevallo, Ala., were destroyed. Details appear on Page B-10.

**Supreme Court upholds Dems' remapping**

By Joseph C. Coleman 3-11-92  
The Associated Press

**HARRISBURG** — Pennsylvania's Supreme Court on Tuesday upheld a Senate Democratic congressional remapping plan.

The court dismissed objections to the plan recommended by Commonwealth Court President Judge David W. Cook.

The plan reduces the number of the state's congressional seats from 23 to 21. It redraws the districts held by Democrat-

ic Rep. Joseph Gaydos of Allegheny County and Republican Rep. Richard Schultz of Chester County. Freshman Re-

Mascara ready to make his move **A3**

publican Rick Santorum of Allegheny County will be placed in a district with more Democratic voters. The Senate Democratic plan also creates two Philadel-

phia districts with majorities of black residents.

"We're pleased that the court enabled us to go ahead with the April 28 primary," said Charles Tozzi, a spokesman for the Department of State.

He added that the court also expanded the deadline for submission of legislative bills to May 8, ensuring that no people voting by absentee ballot will be disenfranchised.

The Supreme Court ruled that any con-

gressional and presidential delegate nominating petitions circulated before Tuesday are void. Candidates for Congress and delegates will have until March 19 to gather signatures and file them with the Pennsylvania Bureau of Elections.

Opponents of the plan would fight the map in federal court.

Senate Minority Leader Robert Mallory, D-Lancaster, said the decision "affirms the fairness of our plan" and ensures that the primary will proceed on schedule.

**Union Twp. officer fired amid sexual allegations**

Washington woman files suit, claims she was fondled

By Gail Beverage Staff Writer and Kay Welling For the Observer-Reporter

**PITNEYVILLE** — A Union Township patrolman was fired Tuesday on the heels of a \$1.1 million suit filed against the officer by a Washington woman who claims he made sexual advances to her last year when she was arrested for drunk driving.

Supervisors in the township voted unanimously Tuesday to fire Gary Seytoshi, 39, a two-year veteran of the local police force. He is the subject of a suit filed in federal court on behalf of Sandra Lee Spriggs, 28,

of 1061 Beech Street.

According to the complaint filed Friday in Pittsburgh, Ms. Spriggs said she was assaulted and fondled by Seytoshi after he stopped her car Nov. 8, 1991, on Route 66, about a mile south of Pitneyville.

Ms. Spriggs also filed suit against the township and the city of Monongahela. She claims the officer fondled her at the Monongahela police station, with no objections from officers and employees of the city who were present when she was taken there to be detained.

The suit claims she had been ordered into Seytoshi's police car and taken to Menz Valley Hospital, where she was told if she didn't consent to a blood test, she would be jailed in Monongahela overnight.

When the blood test was completed, she said Seytoshi took her back to the Union Township police station, where she was

PHOTO BY AP/WIDEWORLD



Associated Press

**Miners rally**

UMW President Richard Trunka addresses miners on the steps of the Labor Department in Washington, D.C., Tuesday. Washington and Greene County miners were among those at the rally to support a plan to preserve the benefits trust. Details appear on Page A-3.

**Nurse admitted tampering, is seeking drug treatment**

By Terri T. Johnson Staff Writer

**CANONSBURG** — A registered nurse suspended from Canonsburg General Hospital admitted tampering with vials of morphine and other narcotics and is seeking treatment for a drug addiction, according to hospital officials.

The emergency room nurse, whose name, age and length of employment at the hospital were not released, was suspended without pay Friday. She admitted her guilt

Monday, according to Kim Manke, hospital spokeswoman. The tampering of vials containing morphine and other narcotics was discovered Thursday.

An agent from the state attorney general's Bureau of Narcotics Investigations and Drug Control visited the hospital Tuesday to conduct an investigation and to determine if the latest tampering is connected to a similar incident that occurred last July.

"It may be related to the July incident, but we can't confirm it's the same person

at this point," Mrs. Manke said.

In both incidents, several vials of morphine and other narcotics were tampered with, and a neutral substance was substituted. Mrs. Manke said it has not been determined what substance was placed in the vials discovered Thursday.

"We are investigating what substance was used to replace the morphine and other narcotics, and it will be examined by an outside laboratory. All vials on stock at the time of the incident were immediately replaced. Those vials were taken by the

agent and are being tested to determine what it is. That testing will take awhile," Mrs. Manke added.

The hospital would not say how many vials were involved or identify the other narcotics.

Last Thursday, an emergency room nurse noticed a syringe containing morphine appeared to be "anomalous," according to Mrs. Manke.

PHOTO BY AP/WIDEWORLD

for Kirk Gibson

**Pens beat deadline, make two deals**

page A6

**FOOD**

You don't have to be Irish to enjoy the recipes featured on today's food page, dished up in time for St. Patrick's Day.

page B7

**WEATHER**

Very windy and cold today with 6 to 8 inches of snow.

page A8

**INDEX**

(26 pages — 2 sections)

|                 |         |
|-----------------|---------|
| Business        | B-2     |
| Classified      | B-10-14 |
| Comics          | B-8     |
| Entertainment   | B-4-5   |
| Funeral notices | B-9     |
| Hospitals       | B-7     |
| Lifestyles      | B-3     |
| Lottery         | A-5     |
| Obituaries      | B-6     |
| Sports          | A-B11   |

**Masked gunmen rob pharmacy in Canonsburg**

By Terri T. Johnson Staff Writer

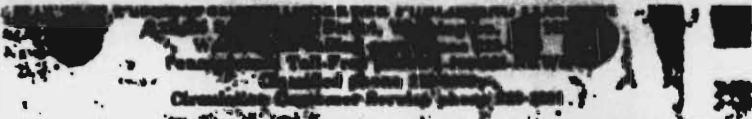
**CANONSBURG** — Two masked gunmen robbed a Canonsburg pharmacy Tuesday morning, getting away with an undetermined amount of drugs and money.

Phillip Sellen, owner of Sellen's Pharmacy, 308 Euclid Avenue, attempted to follow the robbers as they made their getaway but quickly abandoned the chase. Canonsburg police said. The man fled south on Euclid Avenue in a black Ford Fiesta pickup truck, but Sellen was not able to obtain a license number.

The man, who carried handgun, entered Sellen's at 10:10 a.m. and ordered a woman clerk and Sellen to lie on the floor behind the counter. No customers were in the pharmacy.

The man, both white, unsuccessfully attempted to open the pharmacy's cash register. They then demanded that Sellen tell them where the drugs and money were.

PHOTO BY AP/WIDEWORLD



The Washington Messenger

THE WASHINGTON MESSANGER

Founded August 28, 1939

Founded September 21, 1971

John I. H. Neuhoff, President and Co-Publisher; William B. Neuhoff, Vice President and General Manager; Paul J. Leland, Publisher; Edward R. DeVega, Vice President and General Manager; Paul J. Leland, President and Secretary; Thomas F. Neuhoff, Assistant Vice President; W. H. Neuhoff Jr., Assistant Vice President; A. Parker Burdette, Managing Editor; Louis F. Neuhoff, Editorial Page Editor; Robert W. McFrey, Advertising Director; Richard A. McCullough, Circulation Director

# viewpoint <sup>ap/92</sup> One lively election year

Apart from the naturally large interest in both the presidential and U.S. Senate nomination and election contests in Pennsylvania this year, this corner of the state could have its own race that would rise far above the level of ordinary.

It involves the campaign for the Democratic nomination for the U.S. House of Representatives. Austin J. Murphy is the incumbent and who, even in the absence of a formal declaration of candidacy, is expected to try for another term.

The redistricting mess has set back the deadline for filing nomination petitions for this office into March when the picture of the primary campaign for this nomination will develop. Some possibilities, however, command at least speculation.

There is the possibility that Murphy will retire. In that case, any number of repressed political ambitions would bubble up and fill the candidate void. Until the redistricting of the state is completed, a question of the boundaries of the district in which Murphy or any other candidate would have to run remains. There was speculation at one point that Murphy or candidates from this area would have to campaign

against incumbent U.S. Rep. Joseph K. Kolton of Beaver County and the present 4th District.

In local political circles there are at least two prominent Democrats who have shown interest in the congressional seat, although it has not been made clear whether they want to mount a challenge to Murphy or to await his retirement. They are Frank R. Mascara, currently the chairman of the Washington County Board of Commissioners, and J. Barry Stout, the state Senate incumbent.

Their current circumstances appear to be one of awaiting developments, but Mascara is reportedly prepared to challenge Murphy if the shape of the new district dictates a direct challenge between the two. Stout has reportedly become laborious on a congressional candidacy this year.

Suffice it to say at this juncture that if Murphy and Mascara were to face off in this April primary it would be a race for this area's congressional nomination that has not been matched for at least a half-century. That covers the years in which first Dr. Thomas Morgan and then Murphy have held the seat virtually without serious challenge from other spots.

...and wonder what the New Hampshire bottom fell out. What for? Bush, becoming a coherent and proposer of this New Hampshire setting Arnold-Schwartzman, thinking also campaigning that what his last New Hampshire

"I cover this: take it Bush said plaintively, the no-new-taxes plea Hampshire in 1990. To some petting, he lawyerly sense in which claim is not technically; haps he did not sign paper — but he repeats would not raise taxes; New Hampshire only be barrage of negative ads Dole could not be true raise taxes.

Bush complaining: live campaigning is a Never mind the WII Pledge of Allegiance Harbor shelling of Dak branding of Dole as Straddle" regarding to remember the 1988 pre- which Bush's love suggested Elizabeth Dole (When a livid Dole once authorized it, Vice Straddle, maybe I don't)

Bush probably, Dechenon, as Ford has



## Offensive teams

97043773669

**Exhibit 2**

97043173670

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 4194

AFFIDAVIT OF JOEL C. REBOVICH

1. Joel C. Rebovich, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set fourth herein.

2. I serve as the Vice President at Charleroi Federal Savings Bank (the "Bank"). I have been employed by the Bank since September 15, 1986.

3. As evidenced by the Promissory Note dated April 16, 1992 (attached as Exhibit A), and the Schedule C-1 dated September 14, 1993 (attached as Exhibit B), Congressman Mascara took out a loan with the Bank in the amount of \$40,000.00 at 7.5 percent interest payable in 180 days.

4. The Schedule C-1 states that the collateral to secure the loan was the personal residence of Congressman Mascara valued at \$55,000.00.

5. At the time Congressman Mascara applied and was approved for the loan, he and his wife had combined assets of

6. Any and all of these assets could have served as collateral for the loan of \$40,000.00.

7. Under the terms and conditions of the Promissory Note, Charleroi Federal Savings Bank could have gone against any and all of these assets if Congressman Mascara had failed to make the requisite repayments on the loan.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 3rd day of May, 1995.

  
Joel C. Rebovich

97043773671

**Exhibit A**

9704373672



PROMISSORY NOTE

COPY

April 16 , 1992

The undersigned, FRANK R. MASCARA AND DOLORES MASCARA, his wife, promise to pay to the order of CHARLEROI FEDERAL SAVINGS BANK, the sum of Forty Thousand and 00/100ths (\$40,000.00) Dollars to be paid as follows, viz.:

Interest only at the rate of Prime Rate plus 1.00% per annum billed monthly on the outstanding balance beginning May 1, 1992, and payable monthly for a period of One Hundred Eighty (180) days. At the end of One Hundred Eighty (180) days the balance of principal and interest due and owing will be payable in full.

**PAYMENT OF COSTS:**

In addition to the principal and interest payments specified above, the undersigned shall pay to Bank or any other holder hereof, upon demand, all costs and expenses (including reasonable Attorneys' Fees and legal expenses) which may be incurred by Bank or such holder in the enforcement upon default of this note.

**LIABILITIES:**

For all purposes of this note, the term "Liabilities" means this note and any renewals, extensions and modifications thereof and all other existing and future liabilities, whether absolute or contingent, of the undersigned, or any of them, to the Bank of any nature whatsoever and out of whatever transactions arising.

97043173673

**SECURITY INTEREST:**

To secure payment of the liabilities, the bank shall have a lien upon and security interest in any balance or share, belonging to the undersigned or any of them, of any deposit, agency or other accounts with the bank and any other amounts which may be owing from time to time by the bank to the undersigned or any of them. Said lien and security interest shall be independent of any right of set-off which the bank may have.

**DEFAULTS:**

The undersigned shall be in default hereunder upon the occurrence of any of the following events:

(a) the nonpayment when due of any amount payable on any of the liabilities, or the failure of any obligor to observe or perform any agreement of any nature whatsoever with the Bank (the term "Obligor" as used herein being meant to include the undersigned, and all persons secondarily liable on this note or any renewals, extensions, or modifications thereof, such as endorsers or guarantors);

(b) if any obligor becomes insolvent or makes an assignment for the benefit of creditors, or if any petition is filed by or against any Obligor under any provision of any law or statute alleging that such obligor is insolvent or unable to pay debts as they mature;

(c) the entry of any judgment against any obligor or the issuing of any attachment or garnishment against any property of any obligor or the occurrence of any change in the financial condition of any obligor which

97043773674

in the sole judgment of the bank is materially adverse;

(d) the dissolution, merger, consolidation or reorganization of any obligor which is a corporation or partnership;

(e) the death of any obligor who is a natural person;

(f) any information heretofore or hereafter furnished to the Bank by any obligor in connection with the loan evidenced hereby or the Guaranty on the reverse side hereof should be materially false; and

(g) the failure of any obligor to furnish such financial and other information as the Bank may reasonably request;

**CONFESSION OF JUDGMENT:**

The Undersigned do hereby empower any attorney of any court of record within the United States to appear for them and on their behalf and confess judgment against them jointly and severally for the above sum with costs of suit and attorney's commission of fifteen (15%) percent for collection and release of all heirs and without stay of execution and inquisition upon any levy on real estate is hereby waived; and condemnation agreed to in the exemption of personal property from levy and sell on any execution hereon is also hereby expressly waived and no benefit of exemption to be claimed under and by virtue of any exemption law now in force or which may hereafter be passed.

9704373675

**ACCELERATION AND ENFORCEMENT RIGHTS:**

Whenever the undersigned shall be in default as aforesaid, unless the Bank elects otherwise, the entire unpaid amount of such of the liabilities as are not then due and payable shall become immediately due and payable without notice to or demand on any Obligor. The undersigned waives all right to stay of execution and exemption of property in any action to enforce any of the liabilities.

**MISCELLANEOUS:**

Any failure of the Bank to exercise any right hereunder shall not be construed as a waiver of the right to exercise the same or any other right at any other time.

The rights, duties, benefits and obligations hereunder shall inure to the parties hereto, their heirs, administrators, successors and assigns.

The undersigned shall be jointly and severally liable hereunder.

The undersigned intends this to be a sealed instrument and to be legally bound hereby.

All issues arising hereunder shall be governed by the law of Pennsylvania.

97043773676

IN WITNESS WHEREOF, the Undersigned do hereunto  
set their hands and seals intending to be legally bound hereby, on  
the day and year first above written.

WITNESS:

*[Handwritten signature]*  
5 4 1010

**CHARLEROI FEDERAL SAVINGS BANK**  
**MAY 19 1993**

*[Handwritten signature]* (SEAL)  
**FRANK R. MASCARA**

*[Handwritten signature]* (SEAL)  
**DOLORES MASCARA**

97043773677

**Exhibit B**

97043773678

LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS SCH A

|  |  |   |                                     |
|--|--|---|-------------------------------------|
| NAME OF COMMITTEE (IN FULL)<br><b>MASCARA FOR CONGRESS</b>   |  | FEC IDENTIFICATION NUMBER<br><b>C00263236</b>               |                                     |
| FULL NAME, MAILING ADDRESS AND ZIP CODE OF LENDING INSTITUTION (LENDER)<br><b>Charleroi Federal Savings Bank<br/>First &amp; McKean Ave.<br/>Charleroi, PA 15022</b> |  | AMOUNT OF LOAN<br><b>\$40,000.00</b>                        | INTEREST RATE (APR)<br><b>7.50%</b> |
|  |  | DATE INCURRED OR ESTABLISHED<br><b>4-19-93<br/>4/30/92-</b> | DATE DUE<br><b>180 days</b>         |

A. Has loan been restructured?  No  Yes If yes, date originally incurred: \_\_\_\_\_

B. If line of credit, amount of this draw: n/a : total outstanding balance: \$40,000.00

C. Are other parties secondarily liable for the debt incurred?  
 No  Yes (Endorsers 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 papers, stocks, accounts receivable, cash on deposit, or other similar traditional collateral?  
 No  Yes If yes, specify: Real Estate Personal Residence

What is the value of this collateral? \$55,000.00 - estimated

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 100.7(b)(11)(i)(B) and 100.8(b)(12)(i)(B). Date account established: \_\_\_\_\_ Location of account: \_\_\_\_\_

F. If neither of the types of collateral described above was pledged for this loan, or if the amount pledged does not equal or exceed the loan amount, state the basis upon which this loan was made and the basis on which it assures repayment.

N/A

|   |                 |
|---|-----------------|
| G. COMMITTEE TREASURER<br>Edward Mendola, Treasurer <i>Edward Mendola</i> | DATE<br>9-14-93 |
| TYPED NAME Judith Cap, Asst. Treasurer SIGNATURE <i>Judith Cap</i>        | DATE<br>9/14/93 |

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 rate) no more favorable at the time than those imposed for similar extensions of credit to other borrowers of comparable credit worthiness.

III. This institution is aware of the requirement that a loan must be made on a basis which assures repayment, and has complied with the requirements set forth at 11 CFR 100.7(b)(11) and 100.8(b)(12) in making this loan.

|   |                                       |                 |
|---|---------------------------------------|-----------------|
| AUTHORIZED REPRESENTATIVE<br><i>Shawn Hough</i> | TITLE<br><i>A.V.P. Loan Servicing</i> | DATE<br>9/14/93 |
| TYPED NAME SIGNATURE                            |                                       |                 |

97043773679

**Exhibit 3**

9704377368C



CAMPAIGN EXPENSE REPORT  
COMMONWEALTH OF PENNSYLVANIA - DEPARTMENT OF STATE  
BUREAU OF COMMISSIONS, ELECTIONS AND LEGISLATION  
305 NORTH OFFICE BUILDING  
HARRISBURG, PA 17120

| NAME/ADDRESS INFORMATION  | ELECTION DATA               | REPORT FILED BY                               | TYPE OF REPORT                                  |
|---|-----------------------------|---|---|
| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST<br><b>MASCARA CAMPAIGN COMMITTEE</b> | ELECTION DATE               | <input type="checkbox"/> Candidate            | <input type="checkbox"/> 6th Tues. Pre-Election |
| ADDRESS (Street & Number, P.O. Box)<br><b>831 LINCOLN AVENUE</b>              | OFFICE/DISTRICT             | <input checked="" type="checkbox"/> Committee | <input type="checkbox"/> 2nd Fri. Pre-Election  |
| CITY/STATE/ZIP CODE<br><b>CHARLEROI, PA 15022</b>                             | COUNTY<br><b>WASHINGTON</b> | <input type="checkbox"/> Lobbyist             | <input type="checkbox"/> 30-Day Post Election   |
|   |                             |   | <input type="checkbox"/> Annual Report          |
|   |                             |   | <input type="checkbox"/> Amendment Report       |
|   |                             |   | <input type="checkbox"/> Termination Report     |

NOTE: This report must be typed or prepared in blue or black ink.

SUMMARY OF RECEIPTS AND EXPENDITURES FROM 4/13/92 TO 5/18/92

|  |              |
|--|--------------|
| A. Cash Balance - Beginning (See instruction # 1)              | \$ 1,988.71  |
| B. Total Receipts (From Schedule I - This Report Only)         | \$ 40,050.00 |
| C. Total of Lines A and B                                      | \$ 42,038.71 |
| D. Total Expenditures (From Schedule II - This Report Only)    | \$ 41,481.32 |
| E. Cash Balance - Ending (Subtract Line D from Line C)         | \$ 557.39    |
| F. Unpaid Debts and Obligations (From Schedule III)            | \$ 40,000.00 |
| G. In-Kind Contributions (From Schedule IV - This Report Only) | \$           |

FOR OFFICE USE ONLY

AFFIDAVIT SECTION

PART I - TO BE COMPLETED BY THE PERSON SUBMITTING THIS REPORT  
(Treasurer - If Filed By Committee; Candidate - If Filed By Candidate)

I swear (or affirm) that this report, accompanying schedules and statements are to the best of my knowledge and belief true, correct and complete.

Sworn to and subscribed before me this

28th day of May 1992

*Judith Ann Cap*  
Signature of Person Submitting Report

Judith Ann Cap  
Printed Name

(412) 489-4831  
Telephone Number

Christine S. Dallatore Notary Public  
NOTARIAL SEAL  
CHRISTINE S. DALLATORE, Notary Public  
City of Washington, Washington County, PA  
My Commission Expires March 19, 1996

PART II - TO BE COMPLETED BY THE CANDIDATE IF THIS REPORT IS FILED BY THE CANDIDATE'S AUTHORIZED COMMITTEE

I swear (or affirm) that to the best of my knowledge and belief this political committee has not violated any provisions of the Act of June 3, 1937 (P.L. 1333, No. 320) as amended.

Sworn to and subscribed before me this

28th day of May 1992

*Frank R. Mascara*  
Signature of Candidate

Frank R. Mascara  
Printed Name

(412) 483-8733  
Telephone Number

Christine S. Dallatore Notary Public  
Signature Official Title

My Commission Expires May 19, 1996

NOTARIAL SEAL  
CHRISTINE S. DALLATORE, Notary Public  
City of Washington, Washington County, PA  
My Commission Expires March 19, 1996

97043773681

## SCHEDULE I SUMMARY OF CONTRIBUTIONS AND RECEIPTS

USE THIS SCHEDULE TO SUMMARIZE ALL CONTRIBUTIONS, RECEIPTS AND REFUNDS  
RECEIVED DURING THE REPORTING PERIOD.

| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST | REPORTING PERIOD                      |
|--|---------------------------------------|
| <i>Npscara Campaign Committee</i>        | From <i>4-13-92</i> To <i>5-18-92</i> |

NOTE: THIS REPORT MUST BE TYPED OR PREPARED IN BLUE OR BLACK INK!

### A. UNITEMIZED CONTRIBUTIONS AND RECEIPTS — \$50.00 OR LESS

|                                  |                 |
|----------------------------------|-----------------|
| TOTAL (For the Reporting Period) | \$ <i>50.00</i> |
|----------------------------------|-----------------|

### B. CONTRIBUTIONS AND RECEIPTS — \$50.01 TO \$250.00 (Complete Sections 1.1 & 1.2)

|   |  |                 |
|---|--|-----------------|
| ONLY CONTRIBUTIONS RECEIVED FROM POLITICAL COMMITTEES (Section 1.1) |  | \$ <i>- 0 -</i> |
| ALL OTHER CONTRIBUTIONS (Section 1.2)                               |  | \$ <i>- 0 -</i> |
| TOTAL (For the Reporting Period)                                    |  | \$ <i>- 0 -</i> |

### C. CONTRIBUTIONS AND RECEIPTS — OVER \$250.00 (Complete Sections 2.1 & 2.2)

|   |  |                     |
|---|--|---------------------|
| ONLY CONTRIBUTIONS RECEIVED FROM POLITICAL COMMITTEES (Section 2.1) |  | \$ <i>- 0 -</i>     |
| ALL OTHER CONTRIBUTIONS (Section 2.2)                               |  | \$ <i>40,000.00</i> |
| TOTAL (For the Reporting Period)                                    |  | \$ <i>40,000.00</i> |

### D. REFUNDS RECEIVED (Complete Section 3)

|                                  |                 |
|----------------------------------|-----------------|
| TOTAL (For the Reporting Period) | \$ <i>- 0 -</i> |
|----------------------------------|-----------------|

|   |                     |
|---|---------------------|
| TOTAL THIS PERIOD — ADD AMOUNT TOTALS FROM BOXES A, B, C & D<br>ENTER ON PAGE 1 (Face Sheet) — ITEM B | \$ <i>40,050.00</i> |
|---|---------------------|

97043773632

**SECTION 1.1**  
**POLITICAL COMMITTEE CONTRIBUTIONS AND RECEIPTS ONLY**  
**\$50.01 TO \$250.00**

**USE THIS SECTION TO ITEMIZE ONLY CONTRIBUTIONS RECEIVED FROM POLITICAL COMMITTEES WITH AN AGGREGATE VALUE FROM \$50.01 TO \$250.00 FOR THE REPORTING PERIOD.**

|  |  |
|--|--|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b><br><i>Muscare Campaign Committee</i> | <b>REPORTING PERIOD</b><br>From <i>4-13-92</i> To <i>5-18-92</i> |
|--|--|

| DATE(S)  | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTORS | AGGREGATE VALUE |
|--|---|-----------------|
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
|  |   |                 |
| <b>Subtotal This Page (Optional)</b>   |   | ▶               |
| <b>Total This Period - Enter on Schedule I - Summary of Contributions and Receipts - Box 8 ▶</b> |   | - 0 -           |

97043773633

**SECTION 1.2**  
**ALL OTHER CONTRIBUTIONS AND RECEIPTS -- \$50.01 TO \$250.00**  
**(Except Political Committee Contributions)**

**USE THIS SECTION TO ITEMIZE ALL OTHER CONTRIBUTIONS WITH AN AGGREGATE VALUE FROM \$50.01 TO \$250.00 FOR THE REPORTING PERIOD (Excluding Contributions Received From Political Committees Listed on Section 1.1).**

|   |  |
|---|--|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b><br><i>Mpsara Campaign Committee</i> | <b>REPORTING PERIOD</b><br>From <i>4-13-92</i> To <i>5-18-92</i> |
|---|--|

| DATE(S) | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CONTRIBUTORS | AGGREGATE VALUE |
|---------|---|-----------------|
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |
|         |   |                 |

97043773624

**Subtotal This Page (Optional)** ▶

**Total This Period -- Enter on Schedule I -- Summary of Contributions and Receipts -- Box B** ▶ - 0 -



## SECTION 2.2

### ALL OTHER CONTRIBUTIONS AND RECEIPTS -- OVER \$250.00 (Except Political Committee Contributions)

**USE THIS SECTION TO ITEMIZE ALL OTHER CONTRIBUTIONS WITH AN AGGREGATE VALUE OVER \$250.00 FOR THE REPORTING PERIOD.  
(Excluding Contributions Received From Political Committees Listed on Section 2.1).**

|  |  |
|--|--|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b><br><i>Mascara Campaign Committee</i> | <b>REPORTING PERIOD</b><br>From <i>4-13-92</i> To <i>5-18-92</i> |
|--|--|

9 7 0 4 3 7 3 6 3 6

| Full Name, Mailing Address and Zip Code of Contributor  | Occupation                 | Aggregate Value  |
|---|----------------------------|------------------|
| <i>Joseph + Dolores Mascara<br/>831 Lincoln Ave, Charlestown, PA 15022</i>                          | <i>County Commissioner</i> |                  |
| <i>Washington County</i>  | <i>4-16-92</i>             | <i>40,000.00</i> |
| <i>WIRE DIRECTLY TO MASCARA FOR CONGRESS - AS A LOAN -)</i>   |                            |                  |
| Full Name, Mailing Address and Zip Code of Contributor  | Occupation                 | Aggregate Value  |
| Employer Name And Address or Principal Place of Business  | Date Received              |                  |
| Full Name, Mailing Address and Zip Code of Contributor  | Occupation                 | Aggregate Value  |
| Employer Name And Address or Principal Place of Business  | Date Received              |                  |
| Full Name, Mailing Address and Zip Code of Contributor  | Occupation                 | Aggregate Value  |
| Employer Name And Address or Principal Place of Business  | Date Received              |                  |
| Full Name, Mailing Address and Zip Code of Contributor  | Occupation                 | Aggregate Value  |
| Employer Name And Address or Principal Place of Business  | Date Received              |                  |
| Full Name, Mailing Address and Zip Code of Contributor  | Occupation                 | Aggregate Value  |
| Employer Name And Address or Principal Place of Business  | Date Received              |                  |
| Full Name, Mailing Address and Zip Code of Contributor  | Occupation                 | Aggregate Value  |
| Employer Name And Address or Principal Place of Business  | Date Received              |                  |
| <b>Subtotal This Page (Optional)</b>  |                            | <i>40,000.00</i> |
| <b>Total This Period -- Enter on Schedule I -- Summary of Contributions and Receipts -- Box C ▶</b> |                            |                  |

### SECTION 3 SUMMARY OF REFUNDS

**USE THIS SECTION TO ITEMIZE ALL REFUNDS RECEIVED FOR PAYMENTS SUCH AS ADVANCE DEPOSITS MADE OR PREPAID SERVICES NOT RENDERED. REFUNDS WILL OCCUR WHEN THE FINAL SERVICE CHARGE IS LESS THAN THE INITIAL PAYMENT.**

|  |  |
|--|--|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b><br><i>Npscara Campaign Committee</i> | <b>REPORTING PERIOD</b><br>From <i>4-13-92</i> To <i>5-18-92</i> |
|--|--|

9  
7  
6  
5  
4  
3  
2  
1

| DATE(S) | FULL NAME, MAILING ADDRESS AND ZIP CODE OF REFUNDING AGENT | REASON FOR REFUND | AMOUNT |
|---------|--|-------------------|--------|
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |
|         |  |                   |        |

|  |       |
|--|-------|
| <b>Subtotal This Page (Optional)</b>   | ▶     |
| <b>Total This Period – Enter on Schedule I – Summary of Contributions and Receipts – Box D ▶</b> | - 0 - |

## SCHEDULE II SUMMARY OF EXPENDITURES

USE THIS SECTION TO ITEMIZE ALL EXPENDITURES MADE DURING THE REPORTING PERIOD.

| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST                         |  | REPORTING PERIOD   |                     |
|--|--|--|---------------------|
| <i>Mascara Campaign Committee</i>                                |  | From <i>4-13-92</i> to <i>5-18-92</i>                                |                     |
| DATE(S)  | FULL NAME, MAILING ADDRESS AND ZIP CODE OF RECIPIENT   | DESCRIPTION OF EXPENDITURE   | AMOUNT              |
| <i>4-21-92</i>   | <i>Baseball Oldtimers Association<br/>Harry N. Tsee - 857 Pleasant<br/>Hills Drive, Washington, PA 15301</i> | <i>Donation</i>  | <i>\$ 25.00</i>     |
| <i>4-21-92</i>   | <i>California Trojan Bowler Club<br/>John De Felipe - 27 Pa. Avenue,<br/>California, PA 15419</i>            | <i>1/3 share of ad</i>   | <i>16.67</i>        |
| <i>4-21-92</i>   | <i>Washington County Historical Society<br/>49 E. Maiden St.<br/>Washington, PA 15301</i>                    | <i>2 Dinner tickets</i>  | <i>65.00</i>        |
| <i>4-24-92</i>   | <i>John H. Tenen Library Assoc.<br/>Box 345, Charleroi, PA 15022</i>   | <i>Annual dues</i>   | <i>5.00</i>         |
| <i>4-24-92</i>   | <i>Salvation Army<br/>Box 284, M. Masson, PA 15062</i>   | <i>2 Dinner Tickets</i>  | <i>30.00</i>        |
| <i>4-29-92</i>   | <i>Tri County Bow Assoc.<br/>203 Quarry St.<br/>Bechtelsville, PA 15314</i>                                  | <i>2 Banquet Tickets</i>   | <i>28.00</i>        |
| <i>5-1-92</i>  | <i>North Valley NAACP, Cal. Univ.<br/>of PA, Castyle 11, M. Masson, PA 15062</i>                             | <i>Donation</i>  | <i>25.00</i>        |
| <i>5-6-92</i>  | <i>Postmaster<br/>Washington, PA 15301</i>   | <i>1 Roll Stamps</i>   | <i>29.00</i>        |
| <i>5-6-92</i>  | <i>PA State Hall of Fame - Bith<br/>Sim,</i>   | <i>Ticket</i>  | <i>25.00</i>        |
| <i>5-7-92</i>  | <i>Chocolate Moose<br/>Beau St., Washington, PA<br/>15301</i>  | <i>Gift Basket for<br/>Dinner</i>                                    | <i>23.45</i>        |
| <i>5-12-92</i>   | <i>American Legion Post 212<br/>513 Mildred Avenue, Doris, PA<br/>15033</i>                                  | <i>Donation</i>  | <i>28.00</i>        |
| <i>5-13-92</i>   | <i>Don Braddock, Jr.<br/>Box 102, Coal Center, PA 15423</i>  | <i>Return contribution</i>   | <i>50.00</i>        |
| <i>5-14-92</i>   | <i>Frank R. Mascara<br/>831 Lyndale Ave., Charleroi, PA<br/>15022</i>  | <i>Expend. for 500<br/>loan &amp; miscell.<br/>campaign expenses</i> | <i>1090.85</i>      |
| <b>Subtotal This Page (Optional)</b>                             |  |  | ▶                   |
| <b>Total This Period - Enter on Page 1 (Face Sheet) - Item D</b> |  |  | ▶ <i>\$ 1440.97</i> |



### SCHEDULE II SUMMARY OF EXPENDITURES

USE THIS SECTION TO ITEMIZE ALL EXPENDITURES MADE DURING THE REPORTING PERIOD.

|  |  |                         |  |
|--|--|-------------------------|--|
| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST |  | REPORTING PERIOD        |  |
| 17 Mascara Campaign Committee            |  | From 4-13-92 To 5-18-92 |  |

| DATE(S) | FULL NAME, MAILING ADDRESS AND ZIP CODE OF RECIPIENT                                | DESCRIPTION OF EXPENDITURE                        | AMOUNT       |
|---------|---|---|--------------|
| 4-16-92 | Mascara for Congress<br>P.O. Box 1109<br>Washington, PA 15301                       | WIRED DIRECTLY TO<br>MASCARA FOR CONGRESS<br>Loan | \$ 40,000.00 |
| 4-23-92 | Mellon Bank<br>Main St.<br>Washington, PA 15301                                     | Bank Charge                                       | 4.00         |
| 5-15-92 | Paul C. Burch, 96 Judy Lane<br>Board of Trustees, Cal. St. of Pa.<br>California, PA | Retirement Gift                                   | 36.35        |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |
|         |   |   |              |

9  
7  
0  
4  
3  
7  
3  
6  
3  
9

|   |             |
|---|-------------|
| Subtotal This Page (Optional)                             | ▶           |
| Total This Period - Enter on Page 1 (Face Sheet) - Item D | ▶ 41,481.35 |

### SCHEDULE III UNPAID DEBTS AND OBLIGATIONS

USE THIS SECTION TO ITEMIZE ALL UNPAID DEBTS AND OBLIGATIONS WHICH ARE OUTSTANDING AT THE END OF THE REPORTING PERIOD.

|   |   |
|---|---|
| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST<br><i>Mascara Campaign Committee</i> | REPORTING PERIOD<br>From <i>4-13-92</i> To <i>5-18-92</i> |
|---|---|

| DATE(S)        | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR                  | DESCRIPTION OF DEBT                                      | AMOUNT           |
|----------------|--|--|------------------|
| <i>4-16-92</i> | <i>Mascara for Congress<br/>PO Box 1109<br/>Washington, PA 15301</i> | <i>WIRE TRANSFER FROM<br/>FROM D. MASCARA -<br/>Loan</i> | <i>40,000.00</i> |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |
|                |  |  |                  |

9  
7  
0  
4  
3  
7  
3  
6  
0  
0  
C

Subtotal This Page (Optional)

Total - (Enter on Page 1 (Face Sheet) - Item F

▶ 40,000.00

# SCHEDULE IV SUMMARY OF IN-KIND CONTRIBUTIONS OF VALUABLE THINGS

USE THIS SCHEDULE TO SUMMARIZE ALL IN-KIND CONTRIBUTIONS RECEIVED DURING THE REPORTING PERIOD. THE DOLLAR VALUE ASSIGNED SHALL BE THE DIFFERENCE BETWEEN THE USUAL AND NORMAL CHARGE FOR THE GOODS OR SERVICES AND THE AMOUNT ACTUALLY CHARGED.  
(See Section 1621(K) of the Campaign Expense Reporting Law)

| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST | REPORTING PERIOD               |
|--|--------------------------------|
| <i>Maccara Campaign Committee</i>        | <i>From 4-13-92 To 5-18-92</i> |

**A. UNITEMIZED IN-KIND CONTRIBUTIONS AND RECEIPTS — \$50.00 OR LESS**

|                                  |          |
|----------------------------------|----------|
| TOTAL (For the Reporting Period) | \$ - 0 - |
|----------------------------------|----------|

**B. CONTRIBUTIONS AND RECEIPTS — \$50.01 TO \$250.00 (Complete Section 1 on Reverse)**

|                                  |          |
|----------------------------------|----------|
| TOTAL (For the Reporting Period) | \$ - 0 - |
|----------------------------------|----------|

**C. CONTRIBUTIONS AND RECEIPTS — OVER \$250.00 (Complete Section 2 on Reverse)**

|                                  |          |
|----------------------------------|----------|
| TOTAL (For the Reporting Period) | \$ - 0 - |
|----------------------------------|----------|

|   |          |
|---|----------|
| TOTAL THIS PERIOD — ADD AMOUNT TOTALS FROM BOXES A, B, & C<br>ENTER ON PAGE 1 (Face Sheet) — ITEM G | \$ - 0 - |
|---|----------|

97043773691

4-13-92 to 5-18-92

Cash Campaign Contribution:

\*50.00

Wm Braddock, Jr.

5-13-92

Box 122

Coal Center, PA 15423

(Contribution was, returned 5-13-92)

97043773622

**Exhibit 4**

97043773603

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 4194

AFFIDAVIT OF DOLORES MASCARA

I, Dolores Mascara, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.

2. I am the wife of Congressman Frank Mascara.

3. I did not consider or understand that any part of the loan of \$40,000 to the Mascara Campaign Committee, subsequently loaned to Mascara for Congress, might constitute a personal contribution to the campaign by me.

4. I did not consider or understand that any part of the funds loaned to Mascara for Congress borrowed against the lines of credit at Integra Bank and Mellon Bank might constitute personal contributions to the campaign by me.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 3 day of May, 1995.



Dolores Mascara

97043 / 73694

**Exhibit 5**

97043773605

BEFORE THE FEDERAL ELECTION COMMISSION


MUR 4194

AFFIDAVIT OF JUDITH A. CAP

I, Judith A. Cap, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.
2. I was the treasurer of the Mascara Campaign Committee from January 1992 until its termination in 1994.
3. During 1992 and 1993, the State Committee was required under Pennsylvania law to file an Annual Report on January 31, 1993 and January 31, 1994. No other reports were required to be filed because Mr. Mascara was not a candidate for election in those years.
4. The reports covering the periods 1/1/92-4/12/92, 4/13/92-5/18/92, 5/19/92-9/14/92, 9/15/92-10/19/92, 10/20/92-12/31/92, 1/1/93-5/3/93, and 5/4/93-6/7/93 were prepared and filed for the purpose of disclosing transfers from the State Committee to Mascara for Congress.
5. These reports were filed with the State Elections Commission in order to disclose all federal-related activity.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4 day of May, 1995.

  
Judith A. Cap



# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: (202) 628-6600 · FACSIMILE: (202) 434-1690

May 15, 1995

Elizabeth Stein, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W., Sixth Floor  
Washington, D.C. 20463

MAY 15 3 48 PM '95  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL

**Re: MUR 4194 - Mascara for Congress and Mascara Campaign  
Committee**

Dear Ms. Stein:

Enclosed you will find the responses to the Interrogatories and Requests for Production of Documents of Mascara Campaign Committee ("MCC") signed by Judith Cap, the former treasurer of MCC, and Congressman Frank Mascara. The information and statements provide additional support for the fact that the candidate's share of the property that served as collateral for the \$40,000 loan and the two lines of credit was more than sufficient to cover the amount of these loans to the Committee. Therefore, Mrs. Mascara made no contribution to the campaign with regard to these amounts.

1. Even if Congressman Mascara's one-half interest in the collateral had not been sufficient to cover the loans to the Committee, Congressman Mascara had right of access to any and all bank accounts jointly held by him and his wife. As evidenced by the Notes for the loan and the lines of credit, part of the collateral securing these loans was jointly held bank accounts. As noted in MUR 3505, under Pennsylvania law, "funds held by husband and wife in a joint account are presumptively held in tenancy by the entirety." General Counsel's Report at 22. The Report goes on to say: "The Commission has determined that bank accounts are an exception to the one-half interest rule and, thus, it is presumed that all funds in the joint account are the candidate's 'personal funds.'" *Id.* at 23. Under this rule of law, Congressman Mascara had the right of access to any and all bank accounts jointly held and thus could withdraw all funds from the accounts. Therefore, since joint bank accounts served, in part, as collateral for the loan and lines of credit, the entire amount held in these accounts would be considered personal funds of the candidate.

[23607-0001/DA951350.006]

97043773697

Elizabeth Stein, Esq.  
Office of the General Counsel  
May 15, 1995  
Page 2

2. Ms. Cap's response states that MCC was still trying to locate the checks showing repayments on the loan. She was able to locate the checks since she signed the document. Therefore, the checks are incorporated in Exhibit 2.

3. Also enclosed is the originally signed copy of Ms. Cap's Affidavit. A facsimile copy was sent in with the original response of MCC dated May 5, 1995.

4. The documents provided with Congressman Mascara's response include personal bank records. We request that these documents remain confidential even after this matter is closed and not released to the public record. If there are any further steps we need to take in order to ensure confidentiality, please notify us.

Sincerely,



B. Holly Schadler  
Counsel to Respondents

Enclosures

97043773698

BEFORE THE FEDERAL ELECTION COMMISSION

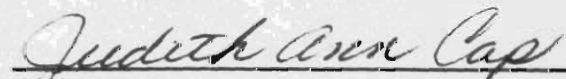
MUR 4194

AFFIDAVIT OF JUDITH A. CAP

I, Judith A. Cap, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.
2. I was the treasurer of the Mascara Campaign Committee from January 1992 until its termination in 1994.
3. During 1992 and 1993, the State Committee was required under Pennsylvania law to file an Annual Report on January 31, 1993 and January 31, 1994. No other reports were required to be filed because Mr. Mascara was not a candidate for election in these years.
4. The reports covering the periods 1/1/92-4/12/92, 4/13/92-5/18/92, 5/19/92-9/14/92, 9/15/92-10/19/92, 10/20/92-12/31/92, 1/1/93-5/3/93, and 5/4/93-6/7/93 were prepared and filed for the purpose of disclosing transfers from the State Committee to Mascara for Congress.
5. These reports were filed with the State Elections Commission in order to disclose all federal-related activity.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4 day of May, 1995.

  
Judith A. Cap

97043773699

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 4194

Respondent: Mascara Campaign Committee

RESPONSE TO INTERROGATORIES AND  
REQUESTS FOR PRODUCTION OF DOCUMENTS

INTERROGATORY NO. 1:

1. Please state whether payments have been made by the Mascara Campaign Committee ("MCC") on any loans or lines of credit obtained by Frank or Dolores Mascara and subsequently paid to MCC between January 1, 1992 and the present.

Response: Payments were made by MCC to Congressman Mascara directly for the purpose of repaying the \$40,000 loan. No payments have been made by MCC related to the lines of credit.

- a. If so, provide an accurate and complete list of the payments including the amount and date of each payment.

Response:

| <u>Date Paid</u>  | <u>Amount</u> |
|-------------------|---------------|
| June 9, 1992      | \$1,000.00    |
| July 8, 1992      | \$1,000.00    |
| July 31, 1992     | \$1,000.00    |
| September 9, 1992 | \$5,000.00    |
| October 5, 1992   | \$1,000.00    |
| January 12, 1993  | \$200.00      |
| February 4, 1993  | \$1,138.57    |
| March 1, 1993     | \$1,000.00    |
| March 11, 1993    | \$3,000.00    |
| March 11, 1993    | \$200.00      |

97043773700

| <u>Date Paid</u>  | <u>Amount</u> |
|-------------------|---------------|
| April 5, 1993     | \$123.39      |
| May 6, 1993       | \$1,100.00    |
| October 14, 1993  | \$500.00      |
| November 16, 1993 | \$15,000.00   |
| November 23, 1993 | \$5,000.00    |
| December 8, 1993  | \$5,000.00    |

b. State the name of each person to whom a payment was made.

**Response:** All payments were made to Congressman Frank Mascara.

c. Describe the process by which the payments were made and produce copies of all documents evidencing payments.

**Response:** Payments were made by check to Congressman Frank Mascara. Attached as Exhibit 1 are copies of the check stubs evidencing payment. The Committee is still attempting to locate the actual checks and will produce them if found.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 12 day of May, 1995.

Judith A. Cap  
 Judith A. Cap  
 Mascara Campaign Committee

97043773701

**Response to Interrogatories and  
Requests for Production of Documents**

**INTERROGATORY NO. 1**

**EXHIBIT 1**

97043773702

0919

June 9 1992

TO Frank & Daines

Mascara

FOR Installment on car  
loan.

DEPOSITS

TOTAL

THIS CHECK ✓

1,000.00 ✓

OTHER TRANS. +/-

TAX DEDUCTIBLE

BALANCE

3,050.40

0931

July 8 1992

TO Frank & Dolores Mascara

831 Lincoln Ave.

FOR Pd. on (\$2,000) loan ✓

(7-7-92)

TOTAL

1,815.73

THIS CHECK ✓

1,000.00

OTHER TRANS. +/-

TAX DEDUCTIBLE

BALANCE

815.73

0941

July 31 1992

TO Frank & Dolores Mascara

FOR Installment on

\*3554

200.00 ✓

14000 loan.

TOTAL

1096.17

THIS CHECK ✓

1000.00 ✓

OTHER TRANS. +/-

TAX DEDUCTIBLE

BALANCE

96.17

97043773703

97043773704

0950  
 Sept. 9, 1992  
 TO Frank M. Mascara  
 Dolores Mascara  
 FOR Payment on loan

|   |                  |          |  |
|---|------------------|----------|--|
|   | TOTAL            |          |  |
|   | THIS CHECK ✓     | 5,000.00 |  |
|   | OTHER TRANS. +/- |          |  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 3,735.67 |  |

0966  
 Oct. 5, 1992  
 TO F. R. & Dolores  
 Mascara  
 FOR Payment on loan

|   |                  |          |  |
|---|------------------|----------|--|
|   | TOTAL            |          |  |
|   | THIS CHECK ✓     | 1,000.00 |  |
|   | OTHER TRANS. +/- |          |  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 240.89   |  |

SAL BROT FORD 1240.89

0998 ✓  
 Jan. 12, 1993  
 TO F. R. & Dolores Mascara  
 FOR Payment on loan

|   |                  |         |  |
|---|------------------|---------|--|
|   | TOTAL            |         |  |
|   | THIS CHECK ✓     | 200.00  |  |
|   | OTHER TRANS. +/- |         |  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 1776.20 |  |



97043773705

1004  
 Feb 4  
 TO Frank R. Wilson  
 Maxima  
 FOR Payment on Loan

|   |                |
|---|----------------|
| TOTAL                                   |                |
| THIS CHECK ✓                            | 1,136.57       |
| OTHER TRANS +/-                         |                |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE 527.79 |

09  
 1012  
 March 1, 1993  
 TO F.R. & Dolores Maxima  
 FOR Payment on Loan

|   |                 |
|---|-----------------|
| TOTAL                                   | 6738.96         |
| THIS CHECK ✓                            | 1500.00         |
| OTHER TRANS +/-                         |                 |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE 7238.96 |

1020  
 March 11, 1993  
 TO Frank & Dolores  
 Maxima  
 FOR Payment on Loan

|   |                  |
|---|------------------|
| TOTAL                                   | 6,949.76         |
| THIS CHECK ✓                            | 3,000.00         |
| OTHER TRANS +/-                         |                  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE 3,949.76 |

1021  
 March 11, 1993  
 TO Frank & Dolores  
 Maxima  
 FOR Payment on Loan

|   |                  |
|---|------------------|
| TOTAL                                   |                  |
| THIS CHECK ✓                            | 200.00           |
| OTHER TRANS +/-                         |                  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE 3,749.76 |

97043773706

102  
 April 5, 1993  
 TO Frank & Noe Mjwcar  
 FOR Payment on loan  
 (interest)

|   |                  |          |  |
|---|------------------|----------|--|
|   | TOTAL            |          |  |
|   | THIS CHECK ✓     | 123.39   |  |
|   | OTHER TRANS. +/- |          |  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 3,644.00 |  |

1049  
 May 6, 1993  
 TO Frank & Noe Mjwcar  
 FOR Payment on loan

|   |                  |         |  |
|---|------------------|---------|--|
|   | TOTAL            |         |  |
|   | THIS CHECK ✓     | 1100.00 |  |
|   | OTHER TRANS. +/- |         |  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 323.73  |  |

1087  
 Oct. 14, 1993  
 TO Frank & Noe Mjwcar  
 FOR Payment on loan

|   |                  |         |  |
|---|------------------|---------|--|
|   | TOTAL            | 1261.09 |  |
|   | THIS CHECK ✓     | 500.00  |  |
|   | OTHER TRANS. +/- |         |  |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 761.09  |  |

97043773707

|   |                  |           |
|---|------------------|-----------|
| 1104                                    | BAL BRO'T FORD   | 19920.63  |
| <i>Nov. 16,</i>                         | 19 <i>93</i>     |           |
| TO <i>FRM</i>                           |                  |           |
| FOR <i>Repayment on loan</i>            | DEPOSITS         |           |
|   | TOTAL            |           |
|   | THIS CHECK ✓     | 15,000.00 |
|   | OTHER TRANS. +/- |           |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 4920.63   |

|   |                  |          |
|---|------------------|----------|
| 1107                                    | BAL BRO'T FORD   | 7,641.63 |
| <i>Nov. 23</i>                          | 19 <i>93</i>     | 1,500.00 |
| TO <i>FRM &amp; Balance Mascara</i>     |                  | 9,141.63 |
| FOR <i>repayment on loan</i>            | DEPOSITS         |          |
|   | TOTAL            |          |
|   | THIS CHECK ✓     | 5,000.00 |
|   | OTHER TRANS. +/- |          |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE          | 4,141.63 |

|   |                    |          |
|---|--------------------|----------|
| 1108                                    |                    |          |
| <i>Nov. 8,</i>                          | 19 <i>93</i>       |          |
| TO <i>F.R. Mascara</i>                  |                    |          |
| FOR <i>Repayment on loan</i>            | DEPOSITS           |          |
|   | TOTAL              | 5,641.63 |
|   | THIS CHECK ✓       | 5,000.00 |
| <i>Bank Sv Clg.</i>                     | OTHER TRANS. +/- ✓ | 641.63   |
| TAX DEDUCTIBLE <input type="checkbox"/> | BALANCE            | 637.63   |

MASCARA CAMPAIGN COMMITTEE

0919

8-28/438

June 9, 1992

PAY TO THE ORDER OF

Frank R. & Dolores Mascara

\$ 1,000.00

One Thousand Dollars and 00/100 -----DOLLARS



Washington Office of  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA

FOR Repayment on loan

*Judith Ann Casp*

⑆000919⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000100000⑆

FOR DEPOSIT ONLY  
HARRISBURG FEDERAL SAVINGS BANK

JUN 10 92

412-492-8888

HARRISBURG, PA 17102

*Dolores Mascara*  
*Judith Ann Casp*

JE '11  
JE '12

⑆6035888⑆

⑆⑆⑆⑆⑆⑆⑆⑆⑆⑆

97043773708

MASCARA CAMPAIGN COMMITTEE

0931

8 28/430

July 8, 19 92

PAY TO THE ORDER OF

Frank R. and Dolores Mascara

\$ 1,000.00

One Thousand Dollars and 00/100 -----DOLLARS



Washington Office 61

**Mellon Bank**

Mellon Bank, N.A.  
Pittsburgh, PA

FOR Pynt. on Campaign Loan

*Judith Ann Cap*

⑆000931⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000100000⑆

97043773709

4308026731  
RECEIVED  
63018189

6-26

ENCLOSURE

POST OFFICE

POST OFFICE  
MELLON BANK  
PITTSBURGH, PA  
JUL 10 1992

*Frank R. Mascara  
Dolores Mascara*

MASCARA CAMPAIGN COMMITTEE

0941

8/20/430

July 31, 1992

PAY TO THE ORDER OF Frank R. and Dolores Mascara \$ 1,000.00

One Thousand Dollars and 00/100 ----- DOLLARS



Washington Office 61  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA

FOR Payment on Loan

*Judith Ann Cap*

⑆00094⑆ ⑆04300026⑆ ⑆143⑆8899⑆ ⑆0000100000⑆

9704377371C

26 04 90  
FOR DEPOSIT ONLY  
MELLON BANK N.A.  
PITTSBURGH, PA

AG '92 11  
AG '92 12  
043000006  
Mellon Bank N.A.

*Frank Mascara  
Dolores Mascara*

MASCARA CAMPAIGN COMMITTEE

10950

September 9, 1992

126438



PAY TO THE ORDER OF: Frank R. and Dolores Mascara

\$ 5,000.00

Five Thousand Dollars and 00/100 -----DOLLARS



Washington Office 61  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA

FOR Payment on Loan

*Judith Ann Cap*

⑆000950⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000500000⑆

*Dolores Mascara*  
*Frank Mascara*

FOR DEPOSIT ONLY  
HARRISBURG BRANCH

SEP 9 1992

412-262-2222  
HARRISBURG BRANCH

SE 9 16

043000095

121

⑆500020204

⑆55705110

97043773711

MASCARA CAMPAIGN COMMITTEE

0966

SM

8-28/430

October 5, 19 92

PAY TO THE ORDER OF Frank R. & Dolores Mascara

\$ 1,000.00

One Thousand Dollars and 00/100 ----- DOLLARS



Washington Office 61  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA

FOR Payment on Loan

*Judith Ann Cas*

⑆000966⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000100000⑆

97043773712

OT 09

0793135443

0793135443

⑆000966⑆

FOR DEPOSIT ONLY  
OCT 08 92

NO POST OFFICE STAMP OR SIGN BELOW THIS LINE  
REPLY TO THE FINANCIAL INSTITUTION USE

*Dolores Mascara*  
*Frank Mascara*



MASCARA CAMPAIGN COMMITTEE

0998

January 12, 1993

2-10/93

PAY TO THE ORDER OF

Frank R. and Dolores Mascara

\$ 200.00

Two Hundred Dollars and 00/100

DOLLARS



Washington Office 41  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA

FOR Payment on Loan

*Judith Ann Cap*

⑆000998⑆

⑆043000261⑆

143-8899⑆

⑆0000020000⑆

3  
1  
7  
3  
7  
7  
3  
7  
4  
3  
7  
0  
4  
3  
7  
0  
9

COPIES OF THIS CHECK

JAN 13 1993

FOR DEPOSIT ONLY

DO NOT WRITE BEHIND OR BELOW THIS LINE  
OR SIGNATURE WILL BE INVALID

*Frank Mascara*  
*Dolores Mascara*

JAN 22 1993  
196561070

MASCARA-CAMPAIGN COMMITTEE

1004

8-28(43)

February 4, 1993

PAY TO THE ORDER OF Frank R. and Dolores Mascara \$ 1,138.57

One Thousand One Hundred Thirty Eight and 57/100----- DOLLARS



FOR Payment on Loan

Judith Ann Cap

⑆001004⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000113857⑆

97043773714

FB 93 08  
FB 93 08  
MELLON BANK

FEB 05 93  
MELLON BANK

Go to www.mellon.com  
or call 1-800-888-8888  
MELLON BANK

Frank Mascara  
Dolores Mascara

⑆00009600⑆  
⑆00000000⑆

MASCARA CAMPAIGN COMMITTEE

1009

8 26/430

March 1, 19 93

PAY TO THE ORDER OF Frank R. & Dolores Mascara \$ 1,000.00

One Thousand Dollars and 00/100 -----DOLLARS



Washington Office 61  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA

506 5077 035751

FOR Payment on Loan

*Judith Ann Cap*

⑆001009⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000100080⑆

00100018

26/10/93 120200990 34

0055-207 11

*Dolores Mascara*

MR '93 01

PROCESSED  
Mellon Bank N A

8-26

0431  
0026  
MELLON BANK  
3 MELLON CENTER  
PITTSBURGH PA  
412-238-1760  
04301  
00261

9704377.3715

MASCARA CAMPAIGN COMMITTEE

1020

8 20/930

March 11, 19 93

PAY TO THE ORDER OF Frank R. and Dolores Mascara

\$ 3,000.00

Three Thousand Dollars and 00/100 DOLLARS

Washington Office 61



Mellon Bank

Mellon Bank, N.A.  
Pittsburgh, PA

FOR Repay Loan

*Judith A. Cap*

⑆001020⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000300000⑆

*Dolores Mascara*  
*Frank Mascara*

FOR DEPOSIT ONLY

AR M1 93

MAR 12  
Mellon Bank N.A.

⑆043000261⑆

⑆001020⑆

97043773716

March 11, 1993

PAY TO THE ORDER OF Frank R. & Dolores Mascara

\$ 200.00

Two Hundred Dollars and 00/100 DOLLARS

Washington Office 61  
Mellon Bank  
Mellon Bank, N.A.  
Pittsburgh, PA

FOR Payment on Loan

*Judith A. Cape*

⑆001021⑆ ⑆043000261⑆ 143-0899⑆ ⑆0000020000⑆

97043773717

MR '93 12  
MR '93 12  
043000001  
Mellon Bank N.A.

FRANK R. & DOLORES MASCARA  
MAR 11 1993  
PITTSBURGH PA

⑆043000261⑆  
⑆02192440⑆

*Dolores Mascara*  
*Frank Mascara*

MASCARA CAMPAIGN COMMITTEE

1031

April 5, 19 93

8-26/430

PAY TO THE ORDER OF Frank R. and Dolores Mascara

\$ 123.39

One Hundred Twenty Three and .39/100 ----- DOLLARS



Washington Office 61  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA.

FOR pymt. (int.) on loan

*Judith Ann Cap*

⑆001031⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000012339⑆

97043773718

FOR DEPOSIT ONLY  
MELLON BANK N.A.  
APR 6 1993  
P.R. # 6 93

53055

*Dolores Mascara*  
*Frank R. Mascara*

APR 07 10 55 AM '93  
MELLON BANK N.A.

MASCARA CAMPAIGN COMMITTEE

✓ 1049

May 6, 1993

1-26430

PAY TO THE ORDER OF FRANK R. AND DOLORES MASCARA \$ 1,100.00

One Thousand and One Hundred Dollars and 00/100 -----DOLLARS



Washington Office

406 4148 051657

FOR Payment on Loan

*Judith Ann Cap*

⑆001049⑆ ⑆043000261⑆ 143-6899⑆ ⑆0000110000⑆

97043773719

MY '93 07  
PROCESSED  
Mellon Bank N.A.

0400  
00261  
MELLON BANK  
3 MELLON CENTER  
PITTSBURGH PA.  
412-236-1700



*Judith Ann Cap*  
*Dolores Mascara*

MASCARA CAMPAIGN COMMITTEE

✓ 1087

8 28/430

October 14, 1993

PAY TO THE ORDER OF Frank and Dolores Mascara

\$ 500.00

Five Hundred Dollars and 00/100 -----DOLLARS



Washington Office 61  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA



*Judith Ann Cox*

FOR Payment on Loan

⑆001087⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000050000⑆

97043773720

FOR DEPOSIT ONLY  
CHECKS ONLY

OCT 15 93

DEPOSIT ONLY  
CHECKS ONLY

OCT 15 1993

⑆043000261⑆  
Mellon Bank N.A.

8-28

⑆043000261⑆

⑆043000261⑆

*Dolores Mascara*  
*Frank Mascara*



MASCARA CAMPAIGN COMMITTEE

1104

November 16, 1993

9-10/93

PAY TO THE ORDER OF Frank and Dolores Mascara \$ 15,000.00

Fifteen Thousand Dollars and 00/100 ----- DOLLARS



FOR Repayment on Loan

*Judith Ann Cap*

⑆001104⑆ ⑆043000261⑆ 143-8899⑆ ⑆0001500000⑆

97043773721

FOR DEPOSIT ONLY

NOV 17 93

NO 18  
NO 93 18

6094774

101878008

*Frank & Dolores Mascara*

MASCARA CAMPAIGN COMMITTEE

✓ 1107

8-78/438

November 23 19 93

PAY TO THE ORDER OF Frank R. Mascara and Dolores Mascara \$ 5,000.00

Five Thousand and 00/100----- DOLLARS



FOR repayment on loan

*Frank R. Mascara*

⑆001107⑆ ⑆043000261⑆ 143-8899⑆ ⑆000050000⑆

FOR DEPOSIT ONLY  
CHARGE TO ACCOUNT

NOV 26 93

43000000  
CHARGE TO ACCOUNT

*Dolores Mascara*  
*Frank R. Mascara*

97043773722

NO 26  
3000261  
PROCESSED  
Mellon Bank N.A.  
8-28

MASCARA CAMPAIGN COMMITTEE

✓1108

December 8, 1993

1-28438

PAY TO THE ORDER OF Frank R. and Dolores Mascara

\$ 5,000.00

Five Thousand Dollars and 00/100 DOLLARS



Washington Office 61  
**Mellon Bank**  
Mellon Bank, N.A.  
Pittsburgh, PA

106 1000 001084

FOR Payment on Loan

*Judith Ann Cap*

⑆001108⑆ ⑆043000261⑆ 143-8899⑆ ⑆0000500000⑆

97043773723

DE '93 14

PROCESSED  
Mellon Bank N.A.

6 26



DE '93 14

MELLON BANK  
MELLON CAMPAIGN COMMITTEE  
PITTSBURGH, PA  
671-882-1100



*Frank Mascara  
Called in person  
Dolores Mascara  
Judith Ann Cap  
1/14/94 DEP 40*

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 4194

Respondent: Mascara for Congress

RESPONSE TO INTERROGATORIES AND  
REQUESTS FOR PRODUCTION OF DOCUMENTS

INTERROGATORY NO. 1:

1. With regard to the \$40,000 loan obtained by you and Dolores Mascara from the Charleroi Federal Saving Bank on April 19, 1992, please provide the following information:

a. State what asset(s) or other forms of security were provided to the Charleroi Bank in order to obtain the loan, and identify any of the assets or security jointly owned with your wife, Dolores Mascara.

Response: At the time the loan was obtained, my wife and I had combined net assets of                      The Bank could have gone against any and all of the assets as security for the loan. See Affidavit of Joel C. Rebovich (Exhibit 1). These assets were comprised of the following items:

- Personal residence
- Rental income property
- Bank accounts - Cash on hand
- Pension fund
- Personal property including automobile

While certain of these assets are held in my name only, it may be that by operation of state law they are considered jointly owned.

The Promissory Note that evidenced the loan expressly provides the security interest of the Bank. Exhibit 2.

97043773724

- 97043173725
- b. Identify and produce all documents submitted to the lending institution and all documents signed by you or your wife, Dolores Mascara, in connection with the loan.

**Response:** A Promissory Note, signed by me and my wife, Dolores Mascara, in connection with the loan is attached as Exhibit 2.

- c. State whether this loan has been renegotiated at any time since 1992.

**Response:** The loan was renegotiated in May, 1993.

- i) If so, provide any additional documents memorializing this renegotiation and describe any assets or other security pledged as collateral for the renegotiated loan.

**Response:** The Promissory Note memorializing the renegotiation of this loan into a consolidation loan is attached as Exhibit 3. The assets and security pledged as collateral for the renegotiated loan remained the same as the original loan.

- ii) State the current balance of the loan and produce all documents including bank statements reflecting payments made on this loan between 1992 and the present.

**Response:** The balance of the loan as of March 31, 1995 was \$40,800.00. Attached as Exhibit 4 are documents including bank statements reflecting payments on this loan between 1992 and March 31, 1995.

**INTERROGATORY NO. 2:**

2. With regard to the Revolving Line of Credit obtained by you and Dolores Mascara from the Integra Bank of Charleroi, Pennsylvania, please provide the following information:
- a. State what asset(s) or other forms of security were provided to the Integra Bank in order to obtain the line of credit, and identify any of the assets or security jointly owned with your wife Dolores Mascara.

**Response:** The Note signed by me provides the terms and conditions of, including the security for, the line of credit. Exhibit 1. Under the terms of the Note, Integra Bank could go against any and all of my assets.

b. State when the line of credit was originally obtained.

**Response:** The line of credit was originally obtained on August 16, 1984.

c. State the purpose for which the line of credit was originally obtained.

**Response:** The line of credit was originally obtained as a source of cash for personal expenses.

d. Identify and produce all documents submitted to the lending institution and all documents signed by you or your wife, Dolores Mascara, in connection with the line of credit.

**Response:** No documents were submitted to the lending institution in connection with the line of credit. The Note attached as Exhibit 1, signed by me alone, secured the line of credit. My wife was not a signatory on the line of credit.

e. Identify and produce all documents including bank statements reflecting draws or payments on this line of credit between January 1, 1992 and the present.

**Response:** Attached as Exhibit 2 are the bank statements reflecting draws and payments on this line of credit between January 1, 1992 and the present.

**INTERROGATORY NO. 3:**

3. With regard to the Personal Line of Credit obtained by you and Dolores Mascara from the Mellon Bank of Charleroi, Pennsylvania, please provide the following information:

a. State what asset(s) or other forms of security were provided to the Mellon Bank in order to obtain the line of credit and identify

97043773726

any of the assets or security jointly owned with your wife Dolores Mascara.

**Response:** The Note signed by me and my wife, Dolores Mascara, provides the terms and conditions of, including the security for, the line of credit. Exhibit 1. Under the terms of the Note, Mellon Bank could go against any and all of my assets.

b. State when the line of credit was originally obtained.

**Response:** The line of credit was originally obtained on December 27, 1984.

c. State the purpose for which the line of credit was originally obtained.

**Response:** The line of credit was originally obtained as a source of cash for personal expenses.

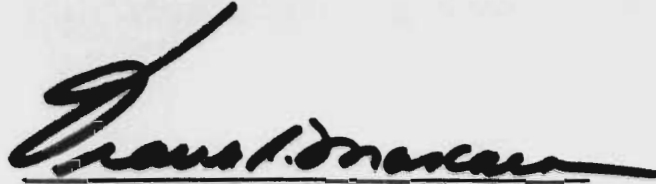
d. Identify and produce all documents submitted to the lending institution and all documents signed by you or your wife, Dolores Mascara, in connection with the line of credit.

**Response:** No documents were submitted to the lending institution in connection with the line of credit. The Note attached as Exhibit 1, signed by me and my wife, Dolores Mascara, secured the line of credit.

e. Identify and produce all documents including bank statements reflecting draws or payments on this line of credit between January 1, 1992 and the present.

**Response:** Attached as Exhibit 2 are the bank statements reflecting draws and payments on this line of credit between January 1, 1992 and the present.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 13 day of May, 1995.



Frank R. Mascara

97043773728



**Response to Interrogatories and  
Requests for Production of Documents**

**INTERROGATORY NO. 1**

**EXHIBIT 1**

97043773729

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 4194

AFFIDAVIT OF JOEL C. REBOVICH

1. Joel C. Rebovich, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set fourth herein.

2. I serve as the Vice President at Charleroi Federal Savings Bank (the "Bank"). I have been employed by the Bank since September 15, 1986.

3. As evidenced by the Promissory Note dated April 16, 1992 (attached as Exhibit A), and the Schedule C-1 dated September 14, 1993 (attached as Exhibit B), Congressman Mascara took out a loan with the Bank in the amount of \$40,000.00 at 7.5 percent interest payable in 180 days.

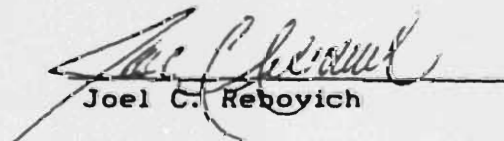
4. The Schedule C-1 states that the collateral to secure the loan was the personal residence of Congressman Mascara valued at \$55,000.00.

5. At the time Congressman Mascara applied and was approved for the loan, he and his wife had combined assets of

6. Any and all of these assets could have served as collateral for the loan of \$40,000.00.

7. Under the terms and conditions of the Promissory Note, Charleroi Federal Savings Bank could have gone against any and all of these assets if Congressman Mascara had failed to make the requisite repayments on the loan.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 3rd day of May, 1995.

  
Joel C. Rebovich

97043773C

**Response to Interrogatories and  
Requests for Production of Documents**

**INTERROGATORY NO. 1**

**EXHIBIT 2**

97045773771

PROMISSORY NOTE

COPY

April 16 , 1992

The undersigned, FRANK R. MASCARA AND DOLORES MASCARA, his wife, promise to pay to the order of CHARLEROI FEDERAL SAVINGS BANK, the sum of Forty Thousand and 00/100ths (\$40,000.00) Dollars to be paid as follows, viz.:

Interest only at the rate of Prime Rate plus 1.00% per annum billed monthly on the outstanding balance beginning May 1, 1992, and payable monthly for a period of One Hundred Eighty (180) days. At the end of One Hundred Eighty (180) days the balance of principal and interest due and owing will be payable in full.

**PAYMENT OF COSTS:**

In addition to the principal and interest payments specified above, the undersigned shall pay to Bank or any other holder hereof, upon demand, all costs and expenses (including reasonable Attorneys' Fees and legal expenses) which may be incurred by Bank or such holder in the enforcement upon default of this note.

**LIABILITIES:**

For all purposes of this note, the term "Liabilities" means this note and any renewals, extensions and modifications thereof and all other existing and future liabilities, whether absolute or contingent, of the undersigned, or any of them, to the Bank of any nature whatsoever and out of whatever transactions arising.

9704377372

**SECURITY INTEREST:**

To secure payment of the liabilities, the bank shall have a lien upon and security interest in any balance or share, belonging to the undersigned or any of them, of any deposit, agency or other accounts with the bank and any other amounts which may be owing from time to time by the bank to the undersigned or any of them. Said lien and security interest shall be independent of any right of set-off which the bank may have.

**DEFAULTS:**

The undersigned shall be in default hereunder upon the occurrence of any of the following events:

(a) the nonpayment when due of any amount payable on any of the liabilities, or the failure of any obligor to observe or perform any agreement of any nature whatsoever with the Bank (the term "Obligor" as used herein being meant to include the undersigned, and all persons secondarily liable on this note or any renewals, extensions, or modifications thereof, such as endorsers or guarantors);

(b) if any obligor becomes insolvent or makes an assignment for the benefit of creditors, or if any petition is filed by or against any Obligor under any provision of any law or statute alleging that such obligor is insolvent or unable to pay debts as they mature;

(c) the entry of any judgment against any obligor or the issuing of any attachment or garnishment against any property of any obligor or the occurrence of any change in the financial condition of any obligor which

970437733

in the sole judgment of the bank is materially adverse;

(d) the dissolution, merger, consolidation or reorganization of any obligor which is a corporation or partnership;

(e) the death of any obligor who is a natural person;

(f) any information heretofore or hereafter furnished to the Bank by any obligor in connection with the loan evidenced hereby or the Guaranty on the reverse side hereof should be materially false; and

(g) the failure of any obligor to furnish such financial and other information as the Bank may reasonably request;

**CONFESSION OF JUDGMENT:**

The Undersigned do hereby empower any attorney of any court of record within the United States to appear for them and on their behalf and confess judgment against them jointly and severally for the above sum with costs of suit and attorney's commission of fifteen (15%) percent for collection and release of all heirs and without stay of execution and inquisition upon any levy on real estate is hereby waived; and condemnation agreed to in the exemption of personal property from levy and sell on any execution hereon is also hereby expressly waived and no benefit of exemption to be claimed under and by virtue of any exemption law now in force or which may hereafter be passed.

9704377374

**ACCELERATION AND ENFORCEMENT RIGHTS:**

Whenever the undersigned shall be in default as aforesaid, unless the Bank elects otherwise, the entire unpaid amount of such of the liabilities as are not then due and payable shall become immediately due and payable without notice to or demand on any Obligor. The undersigned waives all right to stay of execution and exemption of property in any action to enforce any of the liabilities.

**MISCELLANEOUS:**

Any failure of the Bank to exercise any right hereunder shall not be construed as a waiver of the right to exercise the same or any other right at any other time.

The rights, duties, benefits and obligations hereunder shall inure to the parties hereto, their heirs, administrators, successors and assigns.

The undersigned shall be jointly and severally liable hereunder.

The undersigned intends this to be a sealed instrument and to be legally bound hereby.

All issues arising hereunder shall be governed by the law of Pennsylvania.

97043773735

IN WITNESS WHEREOF, the Undersigned do hereunto  
set their hands and seals intending to be legally bound hereby, on  
the day and year first above written.

WITNESS:

*[Handwritten signature]*  
*[Handwritten signature]*  
*[Handwritten signature]*

CHARLEROI FEDERAL  
MAY 18 1997  
SAVINGS BANK

*[Handwritten signature]* (SEAL)  
FRANK R. MASCARA

*[Handwritten signature]* (SEAL)  
DOLORES MASCARA

97043773736



**Response to Interrogatories and  
Requests for Production of Documents**

**INTERROGATORY NO. 1**

**EXHIBIT 3**

97043773737

PROMISSORY NOTE

May 19 \_\_\_\_\_, 1993

The undersigned, FRANK R. MASCARA AND DOLORES MASCARA, HIS WIFE, promise to pay to the order of CHARLEROI FEDERAL SAVINGS BANK, the sum of FORTY-NINE THOUSAND AND 00/100ths (\$49,000.00) Dollars to be paid as follows, viz.:

Interest only at the rate of Prime Rate plus 1.00% per annum billed monthly on the outstanding balance beginning June 1, 1993, and payable monthly for a period of One (1) Year. At the end of One (1) Year the Note will become due and payable in full.

**PAYMENT OF COSTS:**

In addition to the principal and interest payments specified above, the undersigned shall pay to Bank or any other holder hereof, upon demand, all costs and expenses (including reasonable Attorneys' Fees and legal expenses) which may be incurred by Bank or such holder in the enforcement upon default of this note.

**LIABILITIES:**

For all purposes of this note, the term "Liabilities" means this note and any renewals, extensions and modifications thereof and all other existing and future liabilities, whether

97043773778

absolute or contingent, of the undersigned, or any of them, to the Bank of any nature whatsoever and out of whatever transactions arising.

**SECURITY INTEREST:**

To secure payment of the liabilities, the bank shall have a lien upon and security interest in any balance or share, belonging to the undersigned or any of them, of any deposit, agency or other accounts with the bank and any other amounts which may be owing from time to time by the bank to the undersigned or any of them. Said lien and security interest shall be independent of any right of set-off which the bank may have.

**DEFAULTS:**

The undersigned shall be in default hereunder upon the occurrence of any of the following events:

(a) the nonpayment when due of any amount payable on any of the liabilities, or the failure of any Obligor to observe or perform any agreement of any nature whatsoever with the Bank (the term "Obligor" as used herein being meant to include the undersigned, and all persons secondarily liable on this note or any renewals, extensions, or modifications thereof, such as endorsers or guarantors);

(b) if any Obligor becomes insolvent or makes an assignment for the benefit of creditors, or if any

petition is filed by or against any Obligor under any

9704377379

provision of any law or statute alleging that such Obligor is insolvent or unable to pay debts as they mature;

(c) the entry of any judgment against any Obligor or the issuing of any attachment or garnishment against any property of any Obligor or the occurrence of any change in the financial condition of any Obligor which in the sole judgment of the bank is materially adverse;

(d) the dissolution, merger, consolidation or reorganization of any Obligor which is a corporation or partnership;

(e) the death of any Obligor who is a natural person;

(f) any information heretofore or hereafter furnished to the Bank by any Obligor in connection with the loan evidenced hereby or the Guaranty on the reverse side hereof should be materially false; and

(g) the failure of any Obligor to furnish such financial and other information as the Bank may reasonably request;

**CONFESSION OF JUDGMENT:**

The Undersigned do hereby empower any attorney of any court of record within the United States to appear for them and on their behalf and confess judgment against them jointly and

9704377371C

severally for the above sum with costs of suit and attorney's commission of fifteen (15%) percent for collection and release of all heirs and without stay of execution and inquisition upon any levy on real estate is hereby waived; and condemnation agreed to in the exemption of personal property from levy and sell on any execution hereon is also hereby expressly waived and no benefit of exemption to be claimed under and by virtue of any exemption law now in force or which may hereafter be passed.

**ACCELERATION AND ENFORCEMENT RIGHTS:**

Whenever the undersigned shall be in default as aforesaid, unless the Bank elects otherwise, the entire unpaid amount of such of the liabilities as are not then due and payable shall become immediately due and payable without notice to or demand on any Obligor. The undersigned waives all right to stay of execution and exemption of property in any action to enforce any of the liabilities.

**MISCELLANEOUS:**

Any failure of the Bank to exercise any right hereunder shall not be construed as a waiver of the right to exercise the same or any other right at any other time.

The rights, duties, benefits and obligations hereunder shall inure to the parties hereto, their heirs, administrators, successors and assigns.

The undersigned shall be jointly and severally liable hereunder.

97043773741

The undersigned intends this to be a sealed instrument  
and to be legally bound hereby.

All issues arising hereunder shall be governed by the law  
of Pennsylvania.

IN WITNESS WHEREOF, the Undersigned do hereunto  
set their hands and seals intending to be legally bound hereby, on  
the day and year first above written.

WITNESS:

*[Handwritten Signature]*  
to be

*Frank R. Mascara* (SEAL)  
FRANK R. MASCARA  
*Dolores Mascara* (SEAL)  
DOLORES MASCARA

97043773712

**LOANS AND LINES OF CREDIT FROM LENDING INSTITUTIONS**

|  |  |  |                                     |
|--|--|--|-------------------------------------|
| NAME OF COMMITTEE (IN FULL)<br><b>MASCARA FOR CONGRESS</b>   |  | FEC IDENTIFICATION NUMBER<br><b>C00263236</b>              |                                     |
| FULL NAME, MAILING ADDRESS AND ZIP CODE OF LENDING INSTITUTION (LENDER)<br><b>Charleroi Federal Savings Bank<br/>First &amp; McKean Ave.<br/>Charleroi, PA 15022</b> |  | AMOUNT OF LOAN<br><b>\$40,000.00</b>                       | INTEREST RATE (APR)<br><b>7.50%</b> |
|  |  | DATE INCURRED OR ESTABLISHED<br><b>4-19-92<br/>4/30/92</b> | DATE DUE<br><b>180 days</b>         |

A. Has loan been restructured?  No  Yes If yes, date originally incurred: \_\_\_\_\_

B. If line of credit, amount of this draw: n/a; total outstanding balance: \$40,000.00

C. Are other parties secondarily liable for the debt incurred?  
 No  Yes (Endorsers 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 papers, stocks, accounts receivable, cash on deposit, or other similar traditional collateral?  
 No  Yes If yes, specify: Real Estate Personal Residence

What is the value of this collateral? \$55,000.00 - estimated

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 100.7(b)(11)(i)(B) and 100.8(b)(12)(i)(B). Date account established: \_\_\_\_\_ Location of account: \_\_\_\_\_

F. If neither of the types of collateral described above was pledged for this loan, or if the amount pledged does not equal or exceed the loan amount, state the basis upon which this loan was made and the basis on which it assures repayment.

N/A

|  |                             |                        |
|--|-----------------------------|------------------------|
| G. COMMITTEE TREASURER<br><b>Edward Mendola, Treasurer</b> | <i>Edward Mendola</i>       | DATE<br><b>9-14-93</b> |
| TYPED NAME <b>Judith Cap, Asst. Treasurer</b>              | SIGNATURE <i>Judith Cap</i> | DATE<br><b>9/14/93</b> |

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 rate) no more favorable at the time than those imposed for similar extensions of credit to other borrowers of comparable credit worthiness.
- III. This institution is aware of the requirement that a loan must be made on a basis which assures repayment, and has complied with the requirements set forth at 11 CFR 100.7(b)(11) and 100.8(b)(12) in making this loan.

|  |                                       |                        |
|--|---------------------------------------|------------------------|
| AUTHORIZED REPRESENTATIVE<br><i>Sherrill Hough</i> | TITLE<br><b>A.V.P. Loan Servicing</b> | DATE<br><b>9/14/93</b> |
| TYPED NAME <b>Sherrill Hough</b>                   | SIGNATURE <i>Sherrill Hough</i>       |                        |

97043773713

BEFORE THE FEDERAL ELECTION COMMISSION

MAY 14 4 39 PM '96

In the Matter of )  
)  
Mascara for Congress and Edward Mendola, )  
as treasurer )  
)  
Mascara Campaign Committee and )  
Judith A. Cap, as treasurer )  
)  
Dolores Mascara )

MUR 4194

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 17, 1995, the Commission found reason to believe that Mascara for Congress, the principal campaign committee of Congressman Frank R. Mascara, and Mascara Campaign Committee, his affiliated state committee, had violated the Federal Election Campaign Act of 1971 as amended, (the "Act"), as a result of various activity in connection with Congressman Mascara's unsuccessful 1992 Pennsylvania primary campaign.<sup>1</sup> The activity included the failure of Mascara Campaign Committee, ("State Committee") to register and report transfers to Mascara for Congress, ("Federal Committee"); misreporting of bank loans and lines of credit obtained by the candidate; the unreported repayment of loans used in connection with a federal campaign from non-Federal funds; and the failure of the Federal Committee to file required 48 hour contribution notices. The Commission also found reason to believe that Dolores Mascara, Congressman Mascara's wife, had made excessive contributions as the result of bank loans secured with joint property and draws on jointly held lines of credit, and approved discovery to determine the extent of the misreporting of loans and transfers.

<sup>1</sup> Frank Mascara subsequently won the 1994 primary and general elections and is currently a member of Congress.

9704377374



**II. ANALYSIS OF RESPONSES AND DISCOVERY REQUESTS**

Many of the violations discussed below arose through the improper handling of a \$40,000 bank loan obtained by the candidate in 1992. The investigation in this matter has raised questions regarding the collateral and security for the loan, and possible excessive contributions by Dolores Mascara as a result of her guarantee of the loan. After obtaining the loan, the Mascaras contributed the proceeds to the State Committee. The State Committee immediately transferred the \$40,000 to the Federal Committee where it was spent in connection with the federal campaign. The State Committee failed to file a report disclosing the receipt or transfer of the loan, and neither the State nor the Federal Committee filed a 48 hour report for the loan. After Congressman Mascara's defeat, the State Committee repaid the loan to the Mascaras from non-Federal funds, and without filing reports disclosing the repayments. In repaying the loan, the State Committee raised funds from individuals who had already contributed the maximum allowable amount to the Federal Committee, and in amounts in excess of \$1,000. The handling of this loan, in conjunction with other unreported transfers and contributions received within 48-hours of the election, comprises the bulk of the activity at issue in this matter. Although Respondents largely attribute the multiple violations to a hurried three week primary campaign, this Office believes that some of the violations arising from the Federal activity conducted by the State Committee appear to be knowing and willful. In addition, reporting violations resulting from the reporting of the candidate bank loan, if not rising to a level of a knowing and willful misreporting, reflect a lack of concern with regard to making accurate representations to the Commission.

97043773745

**A. \$ 40,000 Candidate Loan**

**1. Loans Made in the Ordinary Course of Business**

As discussed above, the \$40,000 transferred from the State to the Federal Committee actually originated from a \$40,000 bank loan Congressman Frank Mascara and his wife obtained in April 1992 from the Charleroi Federal Savings Bank of Charleroi, Pennsylvania. The Mascaras initially contributed the loan to the State Committee which immediately wired the \$40,000 to the Federal Committee where it was used for a media buy in connection with Frank Mascara's federal campaign. Attachment 1 at 2-3.

When the loan was originally reported to the Commission by the Federal Committee, it was reported as being secured with a personal residence valued at \$55,000. Attachment 2. Given the reported valuation, which limited Congressman Mascara's interest in the property to \$27,500, the Commission found reason to believe \$12,500 of the \$40,000 loan constituted an excessive contribution by Dolores Mascara and approved discovery to determine the exact nature of the collateral used for the loan.<sup>2</sup> See 11 C.F.R. § 100.7(a)(1)(i)(D).<sup>3</sup>

In their response to the reason to believe finding, Respondents explained that the Federal Committee's reports were erroneous, and in fact the loan was not guaranteed with property valued at \$55,000. Attachment 1 at 2-3. Instead, Respondents submitted the Promissory Note

<sup>2</sup> With regard to the excessive contribution, counsel asserts that neither the State nor Federal Committees nor Mrs. Mascara had any idea that there was any question about the sufficiency of the collateral or that any portion of the loan could be considered a contribution to the campaign by Mrs. Mascara until they received notice of the reason to believe finding from the Commission. Attachment 1 at 4. However, as the referral notes, the Federal Committee treasurer had a conversation with a RAD analyst in 1993 in which the analyst "reminded the treasurer that the accounts in question were joint accounts of both the candidate and his wife" and explained "in great detail" about Commission requirements regarding percentage breakdowns of loans guaranteed with joint property. Attachment 3.

<sup>3</sup> Dolores Mascara made a \$1,000 contribution to the Federal Committee on March 27, 1992, hence any additional contribution by her would be an excessive contribution.

9704377376

memorializing the loan and an affidavit from a bank officer stating that any and all of the Mascaras' assets "could have served as collateral for the loan." Attachments 4 and 5 (emphasis added). Because the Promissory Note memorializing the loan did not list any specific collateral as being pledged for the loan, this Office requested that Respondents provide additional documentation indicating the exact nature of the assets which served as the collateral. Respondents again provided a letter from the Charleroi Federal Savings Bank President asserting that all the Mascaras' assets served as collateral, as well as a Personal Statement, a financial statement containing a listing of the Mascaras' assets and liabilities submitted to the bank prior to obtaining the loan. Attachments 6 and 7.

Under the Act, it is unlawful for any corporation to make a contribution in connection with a federal election. 2 U.S.C. § 441b(a). However, a loan made by a bank will not be considered a contribution by the lender so long as it is made in accordance with applicable banking laws and is made in the ordinary course of business. 2 U.S.C. § 431(8)(B)(vii), 11 C.F.R. § 100.7(b)(11). A loan will be deemed made in the ordinary course of business if it meets four criteria: 1) the loan bears the usual and customary rate of interest for the category of loan involved; 2) the loan is made on a basis that assures repayment; 3) the loan is evidenced by a written instrument; and 4) the loan is subject to a due date or amortization schedule. 11 C.F.R. § 100.7(b)(11).

Commission regulations specify two sources that will meet the Commission's standard for assurance of repayment, either traditional collateral (real or personal property, stocks, deposits, or accounts receivable) in which the lender is granted a perfected security interest, or a pledge of future income such as public funding. 11 C.F.R. § 100.7(b)(11)(i). Loans which do not meet the criteria for a basis that assures repayment set out by 11 C.F.R. § 100.7(b)(11)(i) will

97043773717

be examined on a case by case basis based on the totality of the circumstances. 11 C.F.R. § 100.7(b)(11)(ii), Explanation and Justification of 11 C.F.R. § 100.7(b)(11), 56 Fed. Reg. 67118, 67119 (December 27, 1991), see also Advisory Opinion 1994-26.

The investigation in this matter has raised questions regarding whether this loan is one that meets the Commission's standards. First, the loan bears an interest rate of 7.5%, only one percent above the prime lending rate. See Attachment 4 at 1. While this type of rate might well be customary on a home equity type loan where the loan is secured with real property, the rate would appear to be low in a situation where no readily apparent collateral secures the loan. Additionally, while the agreement is evidenced by a Promissory Note, and provides for a due date of 180 days, 180 days after the loan date, in October 1992, a balance of \$28,300 remained owing on the loan.<sup>4</sup>

Further, the original loan does not appear to have been made on a basis which assures repayment. As discussed above, a loan is considered made on a basis which assures repayment if future receipts are pledged for the loan, or where traditional collateral is pledged and the lender is granted a perfected security interest in the collateral. While no future receipts were pledged in this instance, Respondents assert that all the Mascaras' assets were offered as collateral for the loan through the inclusion of a "Confession of Judgment" in the Promissory Note. Respondents provided a letter from Melvin Bassi, the President of Charleroi Federal Savings Bank, which states that the Confession of Judgment actually served as the collateral for the loan because the

<sup>4</sup> In May 1993, one year after the loan was received, the remaining balance of \$19,500 was paid off and a new loan was issued for \$48,000. Payments continued on the loan, the additional amount of which was apparently used for personal purposes, until May of 1994. In May 1994, a third loan was created for \$50,000, \$25,000 of which was used in Congressman Mascara's 1994 campaign. The remaining balance of the loan was paid off during the April 1996 reporting period. Attachment 8 (summarizing bank records submitted by Respondents).

97043773748

effect of the Confession of Judgment was to allow the bank to proceed against all the assets owned by the Mascaras without prior notice or hearing.<sup>5</sup> Attachment 7.

While a Confession of Judgment is best viewed as collateral as it promotes the acceptability of a loan for a prospective lender, see Barclay's American Business Credit v. Otterstrom, 673 F. Supp. 128 (D. Del. 1987) *aff'd*, 851 F.2d 700 (3rd Cir. 1988), it does not qualify as the type of collateral in which the lender takes an interest envisioned by the Commission's regulations. While the Confession of Judgment served as *collateral* for the Mascaras' loan by providing the bank with an avenue of obtaining repayment in the event of a default, it does not qualify as a perfected security interest since the lender has no superior rights to any of the Mascaras other creditors and does not meet the requirements of 11 C.F.R. § 100.7(b)(11).<sup>6</sup> Explanation and Justification of 11 C.F.R. § 100.7(b)(11), 56 Fed. Reg. 67118, 67120 (December 27, 1991).

Loans which do not meet the criteria set out by the Commission for a basis which assures repayment may still be considered on a case-by-case basis based on the totality of the circumstances. See Advisory Opinion 1994-26. However, sources indicate that the industry rule of thumb for unsecured loans is to lend no more than 10% of an individual's net worth.

*Chenoweth: FEC Lawyers Were Consulted About Questionable Loan*, Associated Press,

<sup>5</sup> Confessions of judgment are not common in many states, but they have specifically been held to be constitutional in Pennsylvania and a judgment will automatically be entered against the parties without prior notice or hearing. Jordan v. Fox, Rothschild, O'Brien & Frankel, 20 F.3d 1234 (3rd Cir. 1994)

<sup>6</sup> In order for a lender to perfect a security interest in collateral, the lender must either take possession of the collateral, or file a financing statement with the proper public record. U.C.C. §§ 9-302(1), 9-305. Additionally, a perfected security interest is generally evidenced by a security agreement which describes the collateral and is signed by the debtor in addition to the Promissory note and the financing statement filed with the proper public record as a notice of the lenders interest to the world. John F. Dolan, Fundamentals of Commercial Activity, 1991, at 272-276.

97043773719

November 7, 1995, available in the Associated Press Political Service APOL. Based on the financial statement the Mascara's submitted to the lender, this loan constituted between 30 and 55% of the Mascaras net worth. Attachment 6. After being provided with multiple opportunities to do so, Respondents have been unable to provide any evidence to demonstrate circumstances taken into consideration which assured repayment of the loan as required by the Commission. Because it appears likely that this loan was made on more favorable terms than those extended to other similar lenders and was not made in the ordinary course of business, this Office recommends the Commission find reason to believe that Charleroi Federal Savings Bank violated 2 U.S.C. § 441b by making a contribution in connection with Congressman Mascara's campaign. This Office also recommends the Commission find reason to believe Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 441b by accepting a contribution from a corporation in the form of a bank loan not made in the ordinary course of business. Because Frank R. Mascara personally applied for and received the loan at issue as an agent of his Committees, this Office also recommends the Commission find reason to believe that Frank R. Mascara violated 2 U.S.C. § 441b by accepting a prohibited corporate contribution from a banking institution.

2. Excessive Contribution by Dolores Mascara

This Office initially looked to the loan documents in this matter to determine the underlying collateral for the \$40,000 and thus, determine if the candidate had sufficient personal funds securing the loan. As discussed above, while the Confession of Judgment provided the lender with no perfected security interest, it did serve as collateral for the loan. With regard to an excessive contribution by Dolores Mascara as a result of her joint guarantee of the loan, because all the Mascaras' joint assets can be considered collateral for the loan under the Confession of

9704377375C

**Judgment, a contribution would only be attributed to Mrs. Mascara if the Mascaras had less than \$80,000 in assets at the time the loan was made. According to the Personal Statement the Mascaras submitted to the lender, the Mascaras had assets totaling at least \_\_\_\_\_ in equity from three pieces of real estate, and \_\_\_\_\_ in personal property, in addition to close to \_\_\_\_\_ held in Dolores Mascara's name alone. Attachment 7. Because the Mascaras had at least \_\_\_\_\_ in property which the bank apparently viewed as collateral in making the loan, Frank Mascara could borrow \$40,000 without a contribution resulting from Dolores Mascara. Thus, this Office recommends taking no further action with regard to Dolores Mascara for violations of 2 U.S.C. § 441a(a)(1)(A) as a result of her joint guarantee of the bank loan.**

**3. Accurate Reporting of the \$40,000 Loan**

Additionally, in the course of the investigation, the Federal Committee has admitted to misreporting the collateral for the loan. Under the Act, a candidate bank loan is a receipt which must be reported in the first report following the a political committee's receipt of the loan. 11 C.F.R. § 104.3(d)(1). Commission regulations require that a Schedule C-1 be filed which contains the date and amount of the loan; the interest rate and rate of repayment; the types and value of collateral that secure the loan and whether the security is perfected; and a certification from the lending institution vouching that the terms of the loan as reported are accurate, that they are aware of the Commission's loan regulations, and that the loan is made on a basis that assures repayment and with no more favorable rates or terms than other loans. Id. The treasurer of a political committee is additionally responsible for the filing of accurate reports of receipts and disbursements and shall be personally responsible for the accuracy of any statement contained within a report. 2 U.S.C. § 434(a)(1), 11 C.F.R. § 104.14(d).

97043773751

The \$40,000 loan was initially reported by the Federal Committee as a loan from the State Committee. In July 1993, the Federal Committee received an RFAI noting that the source of the funds must be disclosed, and in September 1993, disclosed that the source of the transfer was a candidate bank loan. At that time, the Federal Committee filed a Schedule C-1 and a copy of the Promissory Note, as required by 11 C.F.R. § 104.3(d)(1). Attachment 2. The Schedule C-1 was signed by both Edward Mendola, treasurer of the Federal Committee, and by Judith Cap, assistant treasurer of the Federal Committee, and treasurer of the State Committee. *Id.* The Schedule C-1 was also signed and certified by the Assistant Vice President of Loan Servicing of Charleroi Federal Savings Bank who vouched that the terms of the loan as stated were accurate to the best of his knowledge. The Schedule C-1 filed and vouched for by these three individuals reported that the loan was secured by a personal residence valued at \$55,000 and that the bank had a perfected security interest in the collateral. *Id.*

The investigation in this matter subsequently revealed that the terms reported to the Commission were inaccurate. Not only was no personal residence or other particular real estate offered as collateral for the loan, as discussed above, the lender had no perfected security interest in any collateral offered for the loan. Respondents acknowledge in their response that they reported the loan as secured with the Mascaras' personal residence because, based on a conversation with a RAD analyst, they thought it provided sufficient collateral for the loan, apparently regardless of the fact that it was not offered as collateral for the loan. Attachment 1 at 3.

In drafting the regulations for reporting of bank loans, the Commission sought to strike a balance between public disclosure and the privacy concerns of the individual seeking the loan. *See* Explanation and Justification of 11 C.F.R. § 104.3(d), 56 Fed. Reg. 67,122 (1991). As a result, the Commission does not require that all documents evidencing a loan be disclosed, but

97043773752



rather relies on the treasurer and the lender to accurately report the terms of the loan through the Schedule C-1. In this case, neither the treasurer nor the lender have fulfilled their responsibilities to make accurate statements as required by the Act in violation of 2 U.S.C § 434(b) and 11 C.F.R. § 104.3(d). While not rising to the level of a knowing and willful violation, the misreporting indicates a serious lack of concern for the filing of accurate reports. As a result, this Office recommends the Commission find reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 11 C.F.R. § 104.3(d) by misreporting the terms of the \$40,000 loan.<sup>7</sup>

**B. Federal Activity Conducted by the State Committee**

In April 1992 the State Committee registered with the Commission in order to transfer funds to the Federal Committee. The State Committee correctly reported the transfer, demonstrated that it came from permissible funds, and terminated its registration with the Commission. However, throughout 1992 and 1993, the State Committee continued to transfer funds to the Federal Committee without re-registering or reporting the transfers. Of the \$52,500 in unreported transfers made, \$40,000 came from the candidate bank loan discussed above. The State Committee also repaid the \$40,000 candidate bank loan spent on the federal campaign. The repayments were made both with funds raised from donors who had already made the maximum allowable contribution to the Federal Committee, and from contributions in excess of \$1,000 made directly to the State Committee and neither the contributions nor the repayments were reported to the Commission. This method of handling the loan, contributing it to the State Committee, immediately transferring it to the Federal Committee, then making unreported

<sup>7</sup> This Office notes that the Commission has previously found reason to believe that Mascara for Congress and Edward Mendola, as treasurer violated 2 U.S.C § 434(b).

9704373753

repayments from the State Committee which appear to have contained excessive contributions, suggests that the transaction was a scheme designed to repay the loan with funds not available through the Federal Committee.

The Commission previously found reason to believe that the State Committee violated 2 U.S.C. §§ 433 and 434(b)(4)(B) as a result of failing to register and report transfers from the State Committee to the Federal Committee. The State Committee and Federal Committee were affiliated committees as both were controlled by Frank Mascara for purposes of seeking elective office. See Advisory Opinions 1987-4, 1987-12, 1991-12, 11 C.F.R. § 102.6(a)(1).

Under the regulations in effect in 1992, a state committee could make unlimited transfers to the federal committee, but by making transfers in excess of \$1,000, the state committee would become a political committee subject to registration and reporting requirements of the Act. 11 C.F.R. §§ 102.6(a), 110.3(c)(6). The state committee would then be required to file reports with the Commission disclosing a transfer, and demonstrating that the source of the transferred funds did not include funds received from prohibited sources such as corporations or labor unions. Additionally, the transferred funds could not contain contributions from individual donors which exceeded the limits of 2 U.S.C. §§ 441a(a)(1)(A) or 441a(a)(2)(A), but the committee would not be required to further segregate federal and non-federal funds. *Id.*

If, however, the state committee undertook any federal activity other than transfers or joint fundraising, the state committee would be required to operate in accordance with the provisions of 11 C.F.R. § 102.5 then in effect for committees conducting both federal and non-federal activity. The state committee would be required to either establish separate federal and non-federal accounts, or to operate the state committee in accordance with the limitations and

97043773754

prohibitions of the Act. 11 C.F.R. § 102.5(a)(1). The state committee would also be required to file reports disclosing all federal activity to the Commission. 2 U.S.C. § 434.

On April 6, 1992, the State Committee registered with the Commission as an affiliated political committee. The State Committee made a \$10,635 transfer to the Federal Committee, properly filed a report disclosing the source of the transferred funds and simultaneously requested termination with a letter which stated that the State Committee "would cease further federal election activity." The Commission notified the State Committee that it had been terminated by letter dated May 15, 1992.

9 7 0 4 3 7 7 3 7 5 5  
Less than ten days after requesting termination, the State Committee transferred the \$40,000 in loan proceeds discussed above to the Federal Committee without filing a report disclosing the transfer, or otherwise indicating the source of the transfer. The \$40,000 loan appears to have been received from the bank, contributed to the State Committee and immediately transferred to the Federal Committee. The State Committee made five additional transfers totaling \$12,500 to the Federal Committee between June 1992 and May 1993 in violation of 2 U.S.C. § 433 and 434(b)(4)(B).<sup>8</sup> Although the Federal Committee reported the receipt of the transfers, as a result of the State Committee's failure to re-register and report the making of the transfers, no demonstration was made that the transferred funds originated from permissible sources.<sup>9</sup>

<sup>8</sup> The transfers were as follows: \$2,500 on June 11, 1992; \$3,000 on August 11, 1992; \$1,000 on August 14, 1992; \$3,000 on September 9, 1992; and \$3,000 on May 5, 1993. The June 11, 1992 transfer was initially reported as a loan from the candidate.

<sup>9</sup> The State Committee filed reports with the Pennsylvania Board of Elections which showed the transfers but did not itemize the funds contained in the transfers as required by the Act and the regulations.

In response, counsel acknowledges that the State Committee failed to re-register and file reports of the transfers, but claims that "[n]oone [sic] understood that such a step [as re-registration and reporting] was necessary." Attachment 1 at 6. The response additionally emphasizes the hurried three week primary campaign, and states that the transfers were fully disclosed for the public record because the State Committee filed additional state reports with the FEC. *Id.* (emphasis added). Counsel's assertions of ignorance and misunderstanding are not persuasive, as the termination letter the Commission sent to the State Committee stated "[i]f your committee again becomes active in federal elections, it will be required to re-register with the Commission." Additionally, contrary to counsel's statements, while the State Committee filed extra reports with the Pennsylvania Board of Elections, no such reports were ever filed with the Commission. Attachment 1 at 6.<sup>10</sup>

By repaying the \$40,000 loan on behalf of the Federal Committee, the State Committee, triggered the requirements of 11 C.F.R. § 102.5. Between June 9, 1992, and December 8, 1993, the State Committee made 16 payments, totaling \$41,261, on the bank loan obtained by the Mascaras. Attachment 9. While making the loan payments, the State Committee was required to either establish a separate federal account containing only contributions that complied with the limitations of the Act and make the loan payments from this account *or* to operate the entire committee in accordance with the limits of the Act.<sup>11</sup>

<sup>10</sup> The affidavit of Judith A. Cap, treasurer of the State Committee, makes clear that additional reports were filed with the Pennsylvania State Election Commission and not the Federal Election Commission. See Attachment 1 at 8.

<sup>11</sup> While the State Committee accepted unlimited contributions from individuals, PACs, and family members of the candidate, in accordance with Pennsylvania law, the State Committee did not accept contributions from corporations and labor unions.

9704373756

Instead, the State Committee accepted \$21,742 in contributions from 21 donors which exceeded the limits of the Act and used some portion of these excessive contributions to repay the Federal Committee's loan. (See Attachment 10 for a breakdown of the excessive contributions.) Further, \$12,250 of the \$21,742 in excessive contributions accepted by the State Committee came from donors who had already contributed the maximum allowable amount to the Federal Committee. By allowing the affiliated State Committee to solicit funds from donors who had already made the maximum allowable contribution to the Federal Committee, and to use the funds to repay the Federal Committee's debt, the Federal Committee received the benefit of the \$12,250 in excessive contributions in violation of 2 U.S.C. § 441a(f).

Additionally, the State Committee failed to file reports disclosing the loan repayments to the Commission. Where a loan is made to a political committee or a candidate as an agent of the committee, and is repaid by the committee, the Act requires that the date and amount of each payment, as well as the identity of each person receiving a repayment be disclosed. 2 U.S.C. § 434(b)(5)(D), 11 C.F.R. § 104.3(b)(4)(iii). The State Committee made a total of \$41,261 in unreported loan payments in violation of 2 U.S.C. § 434(b)(5)(D).

When the \$40,000 loan was obtained from Charleroi Federal Savings Bank, it was clearly intended for use in the federal campaign. Respondents nonetheless, ran the \$40,000 through the State Committee prior to transferring the funds to the Federal Committee. The only reasonable explanation for doing so, was to allow the loan to be repaid by the State Committee. Thus, the State Committee clearly intended to conduct both Federal and non-Federal activity. However, instead of properly following the requirements of 11 C.F.R. § 102.5 for committees conducting such activity, the State Committee solicited funds from donors who had made the maximum possible contribution to the Federal Committee to repay the loan and evaded detection by not

97043773757

reporting the contributions or the repayments to the Commission. This Office believes that these disguised actions suggest knowing and willful violations of the Act. As a result, this Office recommends the Commission find reason to believe that Mascara for Congress and Edward Mendola, as treasurer knowingly and willfully accepted \$12,250 in excessive contributions. See 2 U.S.C § 437g(a)(5)(C), 437g(d). This Office also recommends that the Commission find reason to believe that Mascara Campaign Committee and Judith Cap, as treasurer, knowingly and willfully accepted \$21,742 in violation of 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5.

**C. Lines of Credit**

**1. Excessive Contributions by Dolores Mascara**

The Commission also found reason to believe that Dolores Mascara made additional excessive contributions to the Federal Committee as a result of draws, totaling \$8,000, on lines of credit jointly held with Congressman Mascara. The Mascaras established two lines of credit in 1984, many years prior to the campaign. The first of these lines of credit was held by the Integra Bank, and a \$1,000 draw was made and loaned to the Federal Committee on April 10, 1992. Responses to discovery and the original agreement for the establishment of the line of credit show that this credit line was held by Congressman Mascara individually. Hence, no part of the \$1,000 draw he made and loaned to the Federal Committee on April 10, 1992 constituted an excessive contribution on the part of Dolores Mascara. Attachment 11.

Responses and documents produced show that the second line of credit established at the Mellon Bank, a depository institution, is jointly held by Frank and Dolores Mascara. A total of \$7,000 in draws was made by the Mascaras and then loaned to the Federal Committee in April 1992. The agreement for the line of credit indicates that the Mascaras may draw up to \$9,600 and that the bank has a security interest in "deposits, accounts and other money or property

9 7 0 4 3 7 3 7 5 8

belonging to me [Frank and Dolores Mascara] which you have" Attachment 12. Although the Mascaras may have had funds on deposit securing the line of credit at the time it was established, at the time of the draws, the Mascaras do not appear to have had any funds on deposit acting as collateral or security for the line of credit.

Lines of credit are considered bank loans and must be established on a basis that assures repayment. See 11 C.F.R. § 100.7(b)(11)(i). In general, either traditional collateral and a perfected security interest, or a pledge of future receipts must be granted to the lender in order for a line of credit to be established on a basis which assures repayment. *Id.* However, an unsecured line of credit may still be made on a basis which assures repayment based on the "totality of the circumstances" case by case approach of 11 C.F.R. § 100.7(b)(11)(ii). Advisory Opinion 1994-26.

The line of credit in this instance was established in 1984, many years prior to candidacy, and was originally obtained as a source of cash for personal expenses. See Attachment 13. Further, the terms of the line of credit do not appear to be out of the ordinary, as respondents made monthly payments of principal and interest at a rate of 13.75%, and the draws have now been entirely paid off. Based on these factors, the lines of credit would appear to be obtained on a basis which assures repayment. See Advisory Opinion 1994-26.

However, the Commission ordinarily looks to a candidate's share of underlying collateral or security for a loan or line of credit in determining if a loan or draw on a line of credit qualified as a candidate's personal funds. Where no collateral is provided, yet a line of credit is established on a basis which assures repayment, the line of credit is best viewed as analogous to a spousal joint bank account. Particularly where a line of credit has been in existence for a period of years prior to candidacy, and has been used for other than campaign purposes, a candidate has a certain expectation that the funds will be available, not unlike a bank account.

97043773759

In contrast to other forms of jointly held assets, the Commission considers the entire balance of a joint bank account held by spouses to be the personal funds of a candidate as either individual may draw up to 100% of the balance. See MUR 3505 (Klink), MUR 2292 (Stein). Like a joint bank account, under the terms of the line of credit agreement, either Frank or Dolores Mascara could have drawn up to \$9,600 at any time. As a result, the full amount of the \$7,000 in draws contributed to the campaign can be viewed as the personal funds of Frank Mascara.<sup>12</sup> Thus, this office recommends the Commission take no further action regarding excessive contributions by Dolores Mascara as the result draws on jointly held lines of credit.

2. Reporting of Draws on Lines of Credit

The Commission additionally found reason to believe that the Federal Committee had violated 2 U.S.C. § 434(b) as a result of misreporting the lines of credit. Commission regulations require that a Schedule C-1 be filed which contains the date and amount of the loan; the interest rate and rate of repayment; the types and value of collateral that secure the loan and whether the security is perfected; and a certification from the lending institution. 11 C.F.R. § 104.3(d)(1). The regulations also require that a copy of the loan or line of credit agreement be filed together with the Schedule C-1. 11 C.F.R. § 104.3(d)(2).

Unlike the \$40,000 loan discussed above, with regard to the lines of credit, the Federal Committee filed the required Schedule C-1s which accurately represented the terms of the lines

<sup>12</sup> As discussed above, the Commission has previously found that lines of credit established many years prior to candidacy may qualify as made on a basis that assures repayment based on the totality of the circumstance. Advisory Opinion 1994-26 The Commission has also found that joint bank accounts of husbands and wives are best viewed as the candidate's personal funds. However, the Commission has never previously found that a line of credit held jointly by husband and wife can be viewed as the candidate's personal funds. It is the position of this Office that this would only be the case where the joint line of credit significantly predates the candidacy and was obtained for personal purposes.

9704377376C



of credit and listed the entire balance owing on the lines of credit at the time of the draw. However, although the Federal Committee filed bank statements evidencing the draws, the original agreements for the lines of credit were not provided as required by 11 C.F.R. § 104.3(d)(2). Attachment 13.

**D. Failure to File 48-Hour Notices**

The Commission also found reason to believe that the Federal Committee had violated 2 U.S.C. § 434(a)(6)(A) as a result of failure to submit 48 hour notifications for thirty-four contributions totaling \$76,000 received between April 9 and April 25, 1992.<sup>13</sup> In the response for the Federal Committee, counsel states that the majority of the contributions for which no notices were received occurred as the result of a calculation error by campaign staff, who believed that April 9 was not within the 20 day 48 hour period for the April 28, 1992 election. Campaign staff apparently made this error in spite of the Commission's written notice of March 23, 1992 which specified that the 48 hour period commenced on April 9. Counsel also contends that the Federal Committee did not understand that loans required 48 hour notices, although the written notice of March 23, 1992 specifically notes that loans from the candidate require the filing of 48 hour notices.

**III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY**

<sup>13</sup> The \$40,000 loan discussed above is included within this amount.

97043773761

9704373762

9 7 0 4 3 7 7 3 7 6 3

**IV. RECOMMENDATIONS**


- 1 Find reason to believe that Charleroi Federal Savings bank violated 2 U.S.C. § 441b.
- 2 Find reason to believe that Frank R. Mascara violated 2 U.S.C. § 441b.
- 3 Find reason to believe that Mascara for Congress and Edward Mendola, as treasurer, knowingly and willfully violated 2 U.S.C. § 441a(f), and violated 2 U.S.C. § 441b and 11 C.F.R. § 104.3(d).
- 4 Find reason to believe that Mascara Campaign Committee and Judith A. Cap, as treasurer, knowingly and willfully violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5.
- 5 Take no further action with regard to violations of 2 U.S.C. § 441a(a)(1)(A) by Dolores Mascara, and close the file as it pertains to her.
- 6 Enter into pre-probable cause conciliation with Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith A. Cap, as treasurer, Frank R. Mascara and the Charleroi Federal Savings Bank.

<sup>10</sup> The Commission previously found reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. §§ 434(a)(6)(A) and 434(b), and Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. § 433 and 434. Thus, no reason to believe recommendations are included for violations of these provisions.

- 7. Approve the attached factual and legal analyses, proposed conciliation agreements and the appropriate letters.

Lawrence M. Noble  
General Counsel

5/14/96  
Date

BY   
Lois G. Lerner  
Associate General Counsel

Attachments

- 1 Joint Response to Reason to Believe Findings of Mascara for Congress Committee, Mascara Campaign Committee, and Dolores Mascara
- 2 Mascara for Congress Schedule C-1 disclosure of loan filed September 1993
- 3 94L-14 Referral attachment
- 4 Promissory Note for \$40,000 Loan
- 5 Affidavit of Joel Rebovich
- 6 Letter from Melvin B. Bassi, President of Charleroi Federal Savings Bank
- 7 Personal Statement of Frank and Dolores Mascara
- 8 Summary of Loan Transactions
- 9 Mascara Campaign Committee, Response to Order to Answer Interrogatories
- 10 Breakdown of Excessive Contributions
- 11 Line of Credit Agreement, Integra Bank
- 12 Line of Credit Agreement, Mellon Bank
- 13 Frank R. Mascara's Response to the Commission's Interrogatories
- 14 Mascara for Congress Committee Schedule C-1 disclosure for Mellon Bank and Integra Bank lines of credit
- 15 Factual and Legal Analysis for Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith Cap. as treasurer.
- 16 Factual and Legal Analysis for Frank R. Mascara
- 17 Factual and Legal Analysis for Charleroi Federal Savings Bank
- 18 Proposed Conciliation Agreement for Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith Cap. as treasurer
- 19 Proposed Conciliation Agreement for Frank R. Mascara
- 20 Proposed Conciliation Agreement for Charleroi Federal Savings Bank

Staff assigned Elizabeth M. Stein

97043773754



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**MEMORANDUM**

**TO:** LAWRENCE M. NOBLE  
GENERAL COUNSEL

**FROM:** MARJORIE W. EMMONS/LISA R. DAVIS *(initials)*  
COMMISSION SECRETARY

**DATE:** MAY 20, 1996

**SUBJECT:** MUR 4194 - GENERAL COUNSEL'S REPORT  
DATED MAY 14, 1996.

The above-captioned document was circulated to the Commission  
on: WEDNESDAY, MAY 15, 1996 at 11:00 a.m.

Objection(s) have been received from the Commissioner(s) as  
indicated by the name(s) checked below:

- Commissioner Aikens \_\_\_\_\_
- Commissioner Elliott XXX
- Commissioner McDonald \_\_\_\_\_
- Commissioner McGarry \_\_\_\_\_
- Commissioner Potter \_\_\_\_\_
- Commissioner Thomas \_\_\_\_\_

This matter will be placed on the meeting agenda for:  
FIRST MEETING IN JUNE 11

Please notify us who will represent your Division before the Commission  
on this matter. Thank You!

97043773755

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 4194  
Mascara for Congress and Edward )  
Mendola, as treasurer; )  
Mascara Campaign Committee and )  
Judith A. Cap, as treasurer; )  
Dolores Mascara )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 11, 1996, do hereby certify that the Commission took the following actions in MUR 4194:

1. Failed in a vote of 2-2 to pass a motion to reject the General Counsel's recommendation to find reason to believe that Charleroi Federal Savings Bank violated 2 U.S.C. § 441b.

Commissioners Aikens and Elliott voted affirmatively for the motion; Commissioners McDonald and Thomas dissented; Commissioner McGarry was not present.

2. Failed in a vote of 2-2 to pass a motion to reject the General Counsel's recommendation to find reason to believe that Frank R. Mascara violated 2 U.S.C. § 441b.

(continued)

97043773766

Commissioners Aikens and Elliott voted affirmatively for the motion; Commissioners McDonald and Thomas dissented; Commissioner McGarry was not present.

3. Decided by a vote of 4-0 to find reason to believe that Mascara for Congress and Edward Mendola, as treasurer, knowingly and willfully violated 2 U.S.C. § 441a(f), and violated 11 C.F.R. § 104.3(d).

Commissioners Aikens, Elliott, McDonald, and Thomas voted affirmatively for the decision; Commissioner McGarry was not present.

4. Failed in a vote of 2-2 to pass a motion to find reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 441b.

Commissioners McDonald and Thomas voted affirmatively for the motion; Commissioners Aikens and Elliott dissented; Commissioner McGarry was not present.

5. Decided by a vote of 4-0 to

- a) Find reason to believe that Mascara Campaign Committee and Judith A. Cap, as treasurer, knowingly and willfully violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5.

(continued)

97043773767

- b) Take no further action with regard to violations of 2 U.S.C. § 441a(a) (1) (A) by Dolores Mascara, and close the file as it pertains to her.
- c) Enter into pre-probable cause conciliation with Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith A. Cap, as treasurer.
- d) Approve the factual and legal analyses, proposed conciliation agreements, and the appropriate letters as recommended in the General Counsel's May 14, 1996 report

Commissioners Aikens, Elliott, McDonald, and Thomas voted affirmatively for the decision; Commissioner McGarry was not present.

Attest:

6-13-96  
Date

Marjorie W. Emons  
Marjorie W. Emons  
Secretary of the Commission

97043773768





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 17, 1996

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Holly Schadler, Esq.  
Perkins Coie  
607 Fourteenth St., N.W.  
Washington, D.C. 20005-2011

RE: MUR 4194  
Mascara for Congress and  
Edward Mendola, as treasurer  
Mascara Campaign Committee and  
Judith A. Cap, as treasurer

Dear Ms. Schadler:

On March 17, 1995, the Federal Election Commission found reason to believe your clients, Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith A. Cap, as treasurer, violated provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Commission found reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C §§ 434(a)(6)(A), 434(b), and 441a(f), and that Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C §§ 433 and 434. Additionally, the Commission found reason to believe that your client, Dolores Mascara violated 2 U.S.C § 441a(f).

This letter is to advise you that on June 11, 1996, the Commission additionally found reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 11 C.F.R. § 104.3(d), and knowingly and willfully violated 2 U.S.C § 441a(f). On the same date, the Commission found reason to believe that Mascara Campaign Committee and Judith A. Cap, as treasurer, knowingly and willfully violated 441a(f) and 11 C.F.R. § 102.5. The Factual and Legal Analysis, which formed the basis for the Commission's findings, is attached for your information.

Also on June 11, 1996, after considering the circumstances of the matter, the Commission determined to take no further action against Dolores Mascara, and close the file as it pertains to her. The file will be not be made public until 30 days after this matter has been closed with respect to all other respondents involved.

*Celebrating the Commission's 20th Anniversary*

YESTERDAY, TODAY AND TOMORROW  
DEDICATED TO KEEPING THE PUBLIC INFORMED

97043773749

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 your 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.

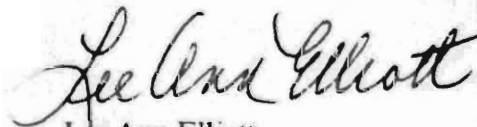
In order to expedite the resolution of this matter, the Commission has granted your clients' request to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved. If you are interested in expediting the resolution of this matter by pursuing pre-probable 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. 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 good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) remain in effect with respect to all respondents still involved in this matter. The Commission will notify your client, Dolores Mascara, when the entire file has been closed. This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless your clients notify the Commission in writing that they wish the investigation to be made public.

If you have any questions, please contact Elizabeth Stein, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Lee Ann Elliott  
Chairman

Enclosures  
Factual and Legal Analysis  
Conciliation Agreement

9704377377C

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS:

MUR 4194

Mascara for Congress and  
Edward Mendola, as treasurer

Mascara Campaign Committee and  
Judith A. Cap, as treasurer

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

A. Law

1. Reporting of Bank Loans

Under the Federal Election Campaign Act of 1971 as amended, (the "Act,") a candidate bank loan is a receipt which must be reported in the first report following a political committee's receipt of the loan. 2 U.S.C. § 434(b), 11 C.F.R. § 104.3(d)(1). Commission regulations require that a Schedule C-1 be filed which contains the date and amount of the loan; the interest rate and rate of repayment; the types and value of collateral that secure the loan and whether the security is perfected; and a certification from the lending institution vouching that the terms of the loan as reported are accurate, that they are aware of the Commission's loan regulations, and that the loan is made on a basis that assures repayment and with no more favorable rates or terms than other loans. *Id.* The treasurer of a political committee is additionally responsible for the filing of

97043773771

accurate reports of receipts and disbursements and shall be personally responsible for the accuracy of any statement contained within a report. 2 U.S.C. § 434(a)(1), 11 C.F.R. § 104.14(d).

**2. Federal Activity Conducted by a State Committee**

Under the regulations in effect in 1992, a state committee could make unlimited transfers to an affiliated federal committee, but by making transfers in excess of \$1,000, the state committee would become a political committee subject to registration and reporting requirements of the Act. 11 C.F.R. §§ 102.6(a), 110.3(c)(6). The state committee would then be required to file reports with the Commission disclosing a transfer, and demonstrating that the source of the transferred funds did not include funds received from prohibited sources such as corporations or labor unions. Additionally, the transferred funds could not contain contributions from individual donors which exceeded the limits of 2 U.S.C. §§ 441a(a)(1)(A) or 441a(a)(2)(A), but the committee would not be required to further segregate federal and non-federal funds. *Id.*

If the state committee undertook any federal activity other than transfers or joint fundraising, however, the state committee would be required to operate in accordance with the provisions of 11 C.F.R. § 102.5 then in effect for committees conducting both federal and non-federal activity. The state committee would be required to either establish separate federal and non-federal accounts, or to operate the state committee in accordance with the limitations and prohibitions of the Act. 11 C.F.R. § 102.5(a)(1). The state committee would also be required to file reports disclosing all federal activity to the Commission. 2 U.S.C. § 434.

97043773772

**B. Analysis****1. Accurate Reporting of the \$40,000 Loan**

9 7 0 4 3 7 7 3

In April 1992, Frank and Dolores Mascara obtained a \$40,000 loan from the Charleroi Federal Savings Bank which they subsequently contributed to Mascara Campaign Committee and Judith A Cap, as treasurer, ("State Committee"). The loan was immediately transferred to Mascara for Congress and Edward Mendola, as treasurer, ("Federal Committee") where it was spent on advertising for Frank Mascara's federal campaign. In the course of the investigation, the Federal Committee has admitted to misreporting the collateral for the loan. The \$40,000 loan was initially reported by the Federal Committee as a loan from the State Committee. In July 1993, the Federal Committee received an RFAI noting that the source of the funds must be disclosed, and in September 1993, disclosed that the source of the transfer was a candidate bank loan. At that time, the Federal Committee filed a Schedule C-1 and a copy of the Promissory Note, as required by 11 C.F.R. § 104.3(d). The Schedule C-1 was signed by both Edward Mendola, treasurer of the Federal Committee, and by Judith Cap, assistant treasurer of the Federal Committee and treasurer of the State Committee. The Schedule C-1 was also signed and certified by the Assistant Vice President of Loan Servicing of Charleroi Federal Savings Bank who vouched that the terms of the loan as stated were accurate to the best of his knowledge. The Schedule C-1 filed and vouched for by these three individuals reported that the loan was secured by a personal residence valued at \$55,000 and that the bank had a perfected security interest in the collateral.

The investigation in this matter subsequently revealed that the terms reported to the Commission were inaccurate. Not only was no personal residence or other particular real estate offered as collateral for the loan, as discussed above, the lender had no perfected security interest

in any collateral offered for the loan. Respondents acknowledge in their response that they reported the loan as secured with the Mascaras' personal residence because, based on a conversation with a RAD analyst, they thought it provided sufficient collateral for the loan, apparently regardless of the fact that it was not offered as collateral for the loan.

In drafting the regulations for reporting of bank loans, the Commission sought to strike a balance between public disclosure and the privacy concerns of the individual seeking the loan. See Explanation and Justification of 11 C.F.R. § 104.3(d), 56 Fed. Reg. 67,122 (1991). As a result, the Commission does not require that all documents evidencing a loan be disclosed, but rather relies on the treasurer and the lender to accurately report the terms of the loan through the Schedule C-1. In this case, neither the treasurer nor the lender have fulfilled their responsibilities to make accurate statements as required by the Act, in violation of 2 U.S.C § 434(b) and 11 C.F.R. § 104.3(d). While not rising to the level of a knowing and willful violation, the misreporting indicates a serious lack of concern for the filing of accurate reports. As a result, the Commission finds reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C § 434(b) and 11 C.F.R. § 104.3(d) by making inaccurate statements to the Commission in the reporting of the \$40,000 loan.

**2. Federal Activity Conducted by the State Committee**

In April 1992, the State Committee registered with the Commission in order to transfer funds to the Federal Committee. The State Committee correctly reported a \$10,000 transfer, demonstrated that it came from permissible funds, and terminated its registration with the Commission. However, throughout 1992 and 1993, the State Committee continued to transfer funds to the Federal Committee without re-registering or reporting the transfers. Of the \$52,500 in

97043774

transfers, \$40,000 came from the candidate bank loan discussed above. The State Committee also repaid the \$40,000 candidate bank loan spent on the federal campaign. The repayments were made both with funds raised from donors who had already made the maximum allowable contribution to the Federal Committee, and from contributions in excess of \$1,000 made directly to the State Committee and neither the contributions nor the repayments were reported to the Commission. This method of handling the loan, contributing it to the State Committee, immediately transferring it to the Federal Committee, then making unreported repayments from the State Committee which appear to have contained excessive contributions, suggests that the transaction was a scheme designed to repay the loan with funds not available through the Federal Committee.

By repaying the \$40,000 loan on behalf of the Federal Committee, the State Committee, triggered the requirements of 11 C.F.R. § 102.5. Between June 9, 1992, and December 8, 1993, the State Committee made 16 payments, totaling \$41,261, on the bank loan obtained by the Mascaras. While making the loan payments, the State Committee was required to either establish a separate federal account containing only contributions that complied with the limitations of the Act and make the loan payments from this account or to operate the entire committee in accordance with the limits of the Act.<sup>1</sup>

Instead, the State Committee accepted \$21,742 in excessive contributions from 21 donors which exceeded the limits of the Act and used some portion of these excessive contributions to repay the Federal Committee's loan. Further, \$12,250 of the \$21,742 in excessive contributions

<sup>1</sup> While the State Committee accepted unlimited contributions from individuals, PACs, and family members of the candidate, in accordance with Pennsylvania law, the State Committee did not accept contributions from corporations or labor unions.

97043773775

accepted by the State Committee came from donors who had already contributed the maximum allowable amount to the Federal Committee. By allowing the affiliated State Committee to solicit funds from donors who had already made the maximum allowable contribution to the Federal Committee, and to use the funds to repay the Federal Committee's debt, the Federal Committee received the benefit of the \$12,250 in excessive contributions in violation of 2 U.S.C. § 441a(f).

Additionally, the State Committee failed to file reports disclosing the loan repayments to the Commission. Where a loan is made to a political committee or a candidate as an agent of the committee, and is repaid by the committee, the Act requires that the date and amount of each payment, as well as the identity of each person receiving a repayment be disclosed. 2 U.S.C. § 434(b)(5)(D), 11 C.F.R. § 104.3(b)(4)(iii). The State Committee made a total of \$41,261 in unreported loan payments in violation of 2 U.S.C. § 434(b)(5)(D).

When the \$40,000 loan was obtained from Charlevoix Federal Savings Bank, it was clearly intended for use in the federal campaign. Respondents nonetheless, ran the \$40,000 through the State Committee prior to transferring the funds to the Federal Committee. The only reasonable explanation for doing so, was to allow the loan to be repaid by the State Committee. Thus, the State Committee clearly intended to conduct both Federal and non-Federal activity. However, instead of properly following the requirements of 11 C.F.R. § 102.5 for committees conducting such activity, the State Committee solicited funds from donors who had made the maximum possible contribution to the Federal Committee to repay the loan and evaded detection by not reporting the contributions or the repayments to the Commission. The Commission believes that these disguised actions suggest knowing and willful violations of the Act. As a result, the Commission finds reason to believe that, Mascara for Congress and Edward Mendola, as treasurer,

97043773776



knowingly and willfully accepted \$12,250 in excessive contributions. See 2 U.S.C. § 437g(a)(5)(C), 437g(d). The Commission also finds reason to believe that Mascara Campaign Committee and Judith Cap, as treasurer, knowingly and willfully accepted \$21,742 in violation of 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5.

97043773777

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JUL 8 2 37 PM '96

## PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

June 27, 1996

Lawrence M. Noble, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

Re: MUR 4194

Dear Mr. Noble:

In response to the Commission's letter of June 17, 1996 to Mascara for Congress and Edward Mendola, as treasurer, Mascara Campaign Committee and Judith A. Cap, as treasurer, we request an extension of time to file our response in this case. An extension of time is necessary in order to review the record, have an adequate opportunity to discuss the issues with our client and prepare a comprehensive response. Therefore, we are requesting an extension of time until July 26, 1996.

Sincerely,

*Holly Schadler*  
B. Holly Schadler (vem)  
Counsel to Respondents

[23607-0001/DA961780.032]

97043773778



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA FACSIMILE**

June 27, 1996

B. Holly Schadler  
Perkins Coie  
607 Fourteenth St. N.W.  
Washington, D.C. 20005

RE: MUR 4194  
Mascara for Congress and  
Edward Mendola, as treasurer  
Mascara Campaign Committee and  
Judith A. Cap, as treasurer

Dear Ms. Schadler:

This is in response to your letter dated June 27, 1996, requesting an extension of time to respond to the Commission's additional reason to believe findings in this matter for twenty days, until July 26, 1996. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, the response is due by the close of business on Friday, July 26, 1996. Please note that the pre-probable cause conciliation period will also be extended for twenty days, until August 9, 1996.

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

Sincerely,

Elizabeth Stein  
Attorney

97043773779

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. WASHINGTON, D.C. 20005-2011  
TELEPHONE 202 638-6600 FACSIMILE 202 434-1690

JUL 26 3 29 PM '96

July 26, 1996

Elizabeth Stein, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Sixth Floor  
Washington, D.C. 20463

Re: MUR 4194 - Mascara for Congress Committee,  
Edward Mendola, as Treasurer, and Mascara Campaign  
Committee, Judith A. Cap, as Treasurer

Dear Ms. Stein:

This letter constitutes a response on behalf of Mascara for Congress Committee ("Mascara for Congress"), and Edward Mendola, as Treasurer and Mascara Campaign Committee ("State Committee"), and Judith A. Cap, as Treasurer (hereinafter collectively referred to as "Respondents") to Chairman Elliot's letter dated June 17, 1995 in this matter.

I. There is No Support for Knowing and Willful Violations

a. **The Facts of This Case Do Not Support a Knowing and Willful Violation.** The knowing and willful finding appears to be based on a contention that Respondents' activities related to the \$40,000 loan "suggest that the transaction was a scheme designed to repay the loan with funds not available through the Federal Committee." Factual and Legal Analysis at 5. The Factual and Legal Analysis goes on to state "the State Committee . . . evaded detection by not reporting the contributions or the repayments to the Commission. The Commission believes that these disguised actions suggest knowing and willful violations of the Act." *id.* at 6.

The public record demonstrates that Respondents did not attempt to "disguise" the transactions between the Committees through the transfer of the loan or the method of repayment. Every transaction and contribution related to the loan was reported on the public record in a manner that could be understood by anyone

[23607-0001/DA961990.049]

9704377378C

Elizabeth Stein, Esq.  
July 26, 1996  
Page 2

reviewing the reports. The loan was disclosed on the State Committee's report (4/13/92-5/18/92) as a receipt. See Exhibit 1.

|   |  |             |
|---|--|-------------|
| Frank & Dolores Mascara<br>831 Lincoln Ave.,<br>Charleroi, PA 15022 | 4-16-92 (wired directly to<br>Mascara for Congress - as<br>a loan) | \$40,000.00 |
|---|--|-------------|

It was also disclosed in the same report as an unpaid debt. See Exhibit 2.

|   |   |          |
|---|---|----------|
| 4-16-92 Mascara for Congress<br>P.O. Box 1109<br>Washington, PA 15301 | Wire transfer from Frank &<br>Dolores Mascara | \$40,000 |
|---|---|----------|

The loan was reported as a transfer on line 12 of the Mascara for Congress' Quarterly Report filed with the FEC. See Exhibit 3.

|   |         |             |
|---|---------|-------------|
| Mascara Campaign Committee<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | 4-16-92 | \$40,000.00 |
|---|---------|-------------|

Immediately upon becoming aware that a Schedule C-1 was required to disclose the loan, the Federal Committee filed the form with the Promissory Note.

In subsequent State Committee reports, the balance of the loan was continually reported as an unpaid debt. See Exhibit 4.

Mascara Campaign Committee Report -- 5/19/92-9/14/92:

|   |                                |          |
|---|--------------------------------|----------|
| 4/16/92 Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | (\$40,000)<br>Loan to Campaign | \$32,000 |
|---|--------------------------------|----------|

97043773781

Elizabeth Stein, Esq.  
July 26, 1996  
Page 3

Mascara Campaign Committee Report -- 9/15/92-10/19/92:

|         |   |   |          |
|---------|---|---|----------|
| 4/16/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | (\$40,000)<br>Loan to Mascara<br>for Congress<br>Campaign | \$31,000 |
|---------|---|---|----------|

Mascara Campaign Committee Report -- 10/20/92-12/31/92:

|         |   |  |             |
|---------|---|--|-------------|
| 4/16/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | \$40,000 loan plus<br>bank interest<br>accrued until<br>12/31/92 | \$35,344.07 |
|---------|---|--|-------------|

Mascara Campaign Committee Report -- 1/1/93-5/3/93:

|         |   |                                  |             |
|---------|---|----------------------------------|-------------|
| 4/16/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Loan (plus \$384.96<br>interest) | \$30,067.07 |
|---------|---|----------------------------------|-------------|

Mascara Campaign Committee Report -- 5/4/93-6/7/93:

|         |   |                                       |             |
|---------|---|---------------------------------------|-------------|
| 4/16/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Loan plus accrued<br>interest to date | \$29,108.85 |
|---------|---|---------------------------------------|-------------|

Mascara Campaign Committee Report -- 1/1/93-12/31/93:

|          |  |  |         |
|----------|--|--|---------|
| 12/31/93 | Frank R. Mascara<br>831 Lincoln Avenue<br>Washington, PA 15022 | Balance due on<br>loans (includes<br>interest) | \$5,642 |
|----------|--|--|---------|

Mascara Campaign Committee Report -- 1/1/94-12/31/94:

|          |   |   |            |
|----------|---|---|------------|
| 12/31/94 | Frank R. Mascara (Candidate)<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Balance due on<br>loan (includes<br>interest) | \$6,012.39 |
|----------|---|---|------------|

97043773782

Elizabeth Stein, Esq.  
July 26, 1996  
Page 4

In addition, the Committee included a letter with its Year-End Report disclosing that Congressman Mascara had forgiven the remaining balance on the debt. See Exhibit 5.

The State Committee also reported payments to Frank and Dolores Mascara to repay the loan:

|        |   |              |         |
|--------|---|--------------|---------|
| 6/9/92 | Frank R. & Dolores Mascara<br>831 Lincoln Ave.<br>Charleroi, PA 15022 | Paid on Loan | \$1,000 |
|--------|---|--------------|---------|

Each subsequent payment was reported in the same manner on the appropriate report as follows:

| <u>Date Paid</u>  | <u>Amount</u> |
|-------------------|---------------|
| June 9, 1992      | \$1,000.00    |
| July 8, 1992      | \$1,000.00    |
| July 31, 1992     | \$1,000.00    |
| September 9, 1992 | \$5,000.00    |
| October 5, 1992   | \$1,000.00    |
| January 12, 1993  | \$200.00      |
| February 4, 1993  | \$1,138.57    |
| March 1, 1993     | \$1,000.00    |
| March 11, 1993    | \$3,000.00    |
| March 11, 1993    | \$200.00      |
| April 5, 1993     | \$123.39      |
| May 6, 1993       | \$1,100.00    |

97043773783

Elizabeth Stein, Esq.  
July 26, 1996  
Page 5

| <u>Date Paid</u>  | <u>Amount</u> |
|-------------------|---------------|
| October 14, 1993  | \$500.00      |
| November 16, 1993 | \$15,000.00   |
| November 23, 1993 | \$5,000.00    |
| December 8, 1993  | \$5,000.00    |

As demonstrated above, the State Committee reported the original loan transaction and the repayments of the loan. Thus, a finding based on an "attempt to disguise" or "evade detection" is not supported by the facts. The Factual and Legal Analysis, by failing to acknowledge essential facts including the continuous disclosure of the State Committee, draws a wholly inaccurate picture of Respondents' actions. Not only was there no attempt to deceive, the essential facts of the original loan and repayment were placed on the public record.

Indeed, all of the information relied on to make the findings in the Factual and Legal Analysis was derived from the public record. The General Counsel was not required to subpoena documents or uncover evidence not readily available to investigate the facts of this case. All of the information was present on the public record available for anyone to see who wished to understand the interaction of the committees or the loan and the sources and schedule of repayment. This does not suggest a scheme to deceive.

The Factual and Legal Analysis appears to suggest that the purpose of the alleged "scheme" was to use contributions not permissible under federal law to repay the loan. This contention is equally without merit. The General Counsel has provided a list of excessive contributions to Mascara Campaign Committee and Mascara for Congress and calculated that the amount of these excessive contributions is \$21,742. According to this list, \$12,250 represent excessive contributions received from donors who had given the maximum contribution to the federal committee.

There is no indication in the Factual and Legal Analysis how these contributions were calculated to make up the funds used to repay the loan. The State Committee was conducting activities throughout 1992 and 1993 to support

97043773784



**Congressman Mascara's political activities as County Commissioner. Contributions from individuals are not limited under state law. These funds could be used without limitation to pay for state activities. Therefore, we request clarification as to how these funds were identified as those used to repay the federal loan as opposed to finance state activities.**

**b. The Standard for Finding a Knowing and Willful Violation is Not Met in This Case. To commit a violation of the FECA knowingly and willfully, a respondent must display "defiance or such reckless disregard of the consequences as to be equivalent to a knowing, conscious, and deliberate flaunting of the Act." AFL-CIO v. Fed. Election Comm'n, 628 F.2d 97, 101 (D.C. Cir. 1980) (quoting Frank Irey, Jr., Inc. v. Occupational Safety and Health Review Comm'n, 519 F.2d 1200, 1207 (3d Cir. 1975). In that case, the court held that there was no evidence that the AFL-CIO believed it was violating the law. In fact, the AFL-CIO was routinely reporting its activities, including those that were in violation of the FECA, to the FEC. Id. at 101. The court considered this fact to be "persuasive evidence of a lack of intent to violate the Act's prohibitions." Id. at 101.<sup>1</sup>**

**As in AFL-CIO, Mascara for Congress and the State Committee attempted to accurately report each transaction in question. Loans to Mascara for Congress were reported by both the Federal and State Committees. Every contribution to repay the loans was disclosed. Respondents' efforts to report campaign finances demonstrate a desire to comply with the law, not an intent to circumvent it. The Committee acted entirely in good faith, and the more severe penalties under 2 U.S.C. § 437g (a)(5)(B) are not appropriate where a violation results from a good faith mistake. See Federal**

---

<sup>1</sup> The Commission must find clear and convincing evidence that the violation was "knowing and willful." See AFL-CIO, 628 F.2d at 101. While the term "clear and convincing" was removed from the statute in the 1979 Amendments, in explaining the change, the Committee on House Administration stated that it did not intend "to reduce the standard for a knowing and willful violation." H.R. Rep. 422, 96th Cong. 1st Sess. 22 (1979). Therefore, the standard for imposing a knowing and willful violation is high. The Commission has not pointed to any evidence, nor is there any, that Respondents knowingly and willfully violated the law.

Elizabeth Stein, Esq.  
July 26, 1996  
Page 7

Election Comm'n v. National Right to Work Comm'n, 501 F.Supp. 422, 435 (D.D.C. 1980) (rev'd on other grounds, 716 F.2d. 1401 (D.C. Cir. 1983)).

Other evidence in this case also demonstrates Respondents' efforts to comply with federal campaign laws and that a knowing and willful finding is misapplied in this case. Respondents consulted a lawyer in June, 1992, at the firm Reed, Smith, Shaw & McClay regarding its activities. Specifically, Respondents sought advice about the appropriate procedures for retiring the 1992 primary campaign debt and for addressing the loan transfer from Mascara Campaign Committee to Mascara for Congress to ensure that the steps they took complied with the FECA.

In the few instances where the FEC has made findings of knowing and willful violations, the evidence generally shows that the respondents engaged in conduct designed to evade the law. In some cases Respondents had been advised that their proposed actions would be in violation and, therefore, they were on notice at the time they committed the violations that their objectives and actions were illegal. See, e.g., MUR 4019 (Aug. 8, 1995) (employees received \$1,000 loan from corporation for purpose of making a contribution of equal amount to a federal election)<sup>2</sup>; MUR 4177 (March 8, 1995) (reason to believe finding that respondent knowingly and willfully violated Sections 441a(a)(1)(A), 441b(a) and 441f because, although he had been specifically advised that he had reached his contribution limits for a particular campaign, he solicited his employees to make contributions in their names for which he reimbursed them)<sup>3</sup>; MUR 3540 (Dec. 1, 1994) (respondents engaged in illegal fundraising activities similar to activities that they had previously conducted that were found to be illegal by the FEC)<sup>4</sup>; MUR 2602 (Dec. 2, 1994) (campaign committee accepted a check from a corporation and then converted the funds into several

---

<sup>2</sup> The preprobable cause conciliation agreement reflects Commission's and respondents' agreement to forgo investigation of whether violations were knowing and willful after a reason to believe finding.

<sup>3</sup> This matter was ultimately settled without a knowing and willful violation apparently based, at least in part, on respondent's statements in an affidavit that "the violations were a mistake" and he had "taken steps to become knowledgeable about campaign laws to prevent future violations." Id.

<sup>4</sup> Here the conciliation agreement included only the contention that the Commission believed a knowing and willful violation occurred. Even where the corporation was conducting extensive activity which it was on notice violated the Act, the Commission did not ultimately impose a knowing and willful violation.

97043773786

different forms of contributions, including several cashiers' checks in the names of individuals).

Nothing approaching a conscious disregard for the law occurred here. As in AFL-CIO v. FEC, Respondents disclosed the activities related to the loan and its repayment on the public record. While mistakes may have been made in reporting the committee's activities, Respondents did not attempt to hide or "disguise" anything. Respondents understood that the State Committee was permitted to transfer funds to the federal committee and repay the loan proceeds.

The present case is different in another fundamental respect from the MURs cited above and others where the Commission has found knowing and willful violations. Other MURs have generally involved the infusion of corporate funds into the political system and attempts to conceal the true source of contributions. Some of the cases have revealed extensive conspiracies to channel corporate funds to employees as reimbursements. Some have involved coercion by employers to raise political contributions. See MURs 254, 256. These are violations that strike at the heart of the FECA's prohibition on corporate contributions and contributions in the name of another. They also reflect an attempt to conceal the identities of contributors.

Here the contributions involved were from individuals, not corporations. On their face, these contributions were permitted under state law and were from permissible sources under federal law. There was no attempt to avoid disclosure or conceal the identities of contributors. Between the federal and state filings, the public record was complete. Any errors that may have been made in aggregating the contributions to the state and federal committees were due to the inexperience of the individuals volunteering their time to the campaign, not a disregard of the law.

## II. Reporting of Activity Between the Committees

The State Committee understood, as discussed above, that because the transfer to Mascara for Congress was

97043173787

Elizabeth Stein, Esq.  
July 26, 1996  
Page: 9

made up of funds loaned by the candidate, re-registration was not required under federal law. This and subsequent transfers in the amount of \$12,500 were disclosed on the State Committee's Pennsylvania State Report and the Congress Committee's federal report.

Reports of the State Committee were prepared and filed solely for the purpose of disclosing these transfers and any other federal activity. See Affidavit of Judith Cap ¶¶ 4, 5, Exhibit 6. Pennsylvania law required only that the Committee file one Annual Report during a non-election year. The Committee, however, filed pre-election and post-election reports in order to ensure that all activity of the State Committee was on the public record. Subsequent reports were filed to disclose the contributions that were used to repay the bank loan and all repayments.

### III. Reporting of Bank Loans

The Commission's Factual and Legal Analysis states that the errors made by Mascara for Congress in filing its Schedule C-1 indicate "a serious lack of concern for the filing of accurate reports." This statement defies the facts in this case.

The Factual and Legal Analysis incorrectly states that "no personal residence or other particular real estate [was] offered as collateral for the loan." Factual and Legal Analysis at 3. This statement is contrary to the sworn testimony of a Vice President of Charleroi Federal Savings Bank (Exhibit 7) and the Bank's statement of collateral attached as Exhibit 8 to this response. The affidavit of Joel Rebovich, Vice President of Charleroi Federal Savings Bank, states: "Under the terms and conditions of the Promissory Note, Charleroi Federal Savings Bank could have gone against any and all of these assets if Congressman Mascara had failed to make the requisite repayments on the loan." See Exhibit 7, Rebovich Aff. at ¶ 7. Mr. Rebovich has confirmed in a subsequent letter: "[Mr. Mascara] executed a confession judgment note along with a mortgage on the property known as 609-611 Fallowfield Avenue, Charleroi, PA and 831 Lincoln Avenue, Charleroi, PA. Due to your excellent credit record and performance, the Bank elected to not record the executed mortgage. The effect was to carry the note unsecured until a failure to pay or default occurred. As a result of excellent payment, the note was refinanced and the unrecorded mortgage was voided." See Exhibit 8.

97043773788

Elizabeth Stein, Esq.  
July 26, 1996  
Page 10

Therefore, the statement in the C-1 that the loan was secured by the candidate's personal residence is not "inaccurate" as suggested in the Factual and Legal Analysis. The house specifically served as collateral. Personal bank accounts and other properties also served as collateral. See Exhibit 7, Rebovich Aff. At ¶¶ 6 and 7. It was the understanding of those completing the C-1, based on a conversation with the Committee's Reports Analyst, that so long as "sufficient" collateral to cover the loan amount was disclosed nothing more was required. Thus, only the house was listed as collateral.

The Commission originally raised the issue of whether the candidate had sufficient personal assets to secure the loan. Respondents demonstrated in their earlier response that Mr. Mascara's assets were more than sufficient to guarantee the bank loan. The Commission has now shifted its focus to the issue of whether the collateral was stated accurately on the C-1 and whether the bank had a "perfected security interest" in the residence. The Bank could have gone against any and all of the assets of Congressman Mascara including his residence on which he gave the Bank a mortgage. The decision of the Bank not to record its interest in the residence in order to perfect its secured interest was not within Mr. Mascara's or Respondent's control or knowledge.

Moreover, the issue of whether the security interest was perfected or not certainly does not warrant the suggestion that Respondents "did not take seriously their reporting responsibilities" with regard to the loan. Respondents sought and followed the guidance of the Commission in completing the Schedule C-1. The statements made in that document were accurate and satisfied the requirements under the FEC's regulations to assure repayment. See 11 C.F.R. § 100.7(b)(11)(ii). The Commission has ruled that "loans which do not meet the criteria set out by the regulations for these two sources [traditional collateral with a perfected security interest and other sources of repayment including future income] are considered on a case-by-case basis, based on a totality of their circumstances to determine whether they were made on a basis which assures repayment." Advisory Opinion 1994-26, citing Explanation and Justification, Regulations on Loans from Lending Institutions to Candidates, 56 Fed. Reg. 67118, 67119. See also, FEC Campaign Guide for Congressional Candidates and Committees at 11. Here it is clear that there were more than sufficient assets to assure repayment and the Bank secured those assets to satisfy

97043773789

Elizabeth Stein, Esq.  
July 26, 1996  
Page 11

its lending standards.

As demonstrated through correspondence with the Commission, Respondents have worked diligently to ensure that any errors made due to their lack of experience with federal law were corrected promptly and thoroughly. Moreover, at no time was the public deprived of the essential information regarding the financing of Congressman Mascara's 1992 campaign.

It is essential to ensure a complete understanding of the facts of this matter that the Committee's efforts to comply with the Commission's reporting regulations are presented.

Sincerely,



Robert F. Bauer  
B. Holly Schadler  
Counsel to Respondents

Enclosures

970437377C

**Exhibit 1**

97043773791

## SECTION 2.2

### ALL OTHER CONTRIBUTIONS AND RECEIPTS – OVER \$250.00 (Except Political Committee Contributions)

USE THIS SECTION TO ITEMIZE ALL OTHER CONTRIBUTIONS WITH AN AGGREGATE VALUE  
OVER \$250.00 FOR THE REPORTING PERIOD.  
(Excluding Contributions Received From Political Committees Listed on Section 2.1).

|   |                                       |
|---|---------------------------------------|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b> | <b>REPORTING PERIOD</b>               |
| <i>Masara Campaign Committee</i>                | From <i>4-13-92</i> To <i>5-18-92</i> |

| Full Name, Mailing Address and Zip Code of Contributor   | Occupation                   | Aggregate Value                |
|--|------------------------------|--------------------------------|
| <i>Frank &amp; Dolores Masara<br/>831 Lincoln Ave., Charbon, PA 15622</i>                        | <i>County Commissioner</i>   |                                |
| <b>Employer Name And Address or Principal Place of Business</b>                                  | <b>Date Received</b>         |                                |
| <i>Washington County</i>   | <i>4-16-92</i>               | <i>40,000.00</i>               |
| <small>Full Name, Mailing Address and Zip Code of Contributor</small>                            | <small>Occupation</small>    | <small>Aggregate Value</small> |
| <small>Employer Name And Address or Principal Place of Business</small>                          | <small>Date Received</small> |                                |
| <small>Full Name, Mailing Address and Zip Code of Contributor</small>                            | <small>Occupation</small>    | <small>Aggregate Value</small> |
| <small>Employer Name And Address or Principal Place of Business</small>                          | <small>Date Received</small> |                                |
| <small>Full Name, Mailing Address and Zip Code of Contributor</small>                            | <small>Occupation</small>    | <small>Aggregate Value</small> |
| <small>Employer Name And Address or Principal Place of Business</small>                          | <small>Date Received</small> |                                |
| <small>Full Name, Mailing Address and Zip Code of Contributor</small>                            | <small>Occupation</small>    | <small>Aggregate Value</small> |
| <small>Employer Name And Address or Principal Place of Business</small>                          | <small>Date Received</small> |                                |
| <small>Full Name, Mailing Address and Zip Code of Contributor</small>                            | <small>Occupation</small>    | <small>Aggregate Value</small> |
| <small>Employer Name And Address or Principal Place of Business</small>                          | <small>Date Received</small> |                                |
| <b>Subtotal This Page (Optional)</b>   | ▶                            | <i>40,000.00</i>               |
| <b>Total This Period – Enter on Schedule I – Summary of Contributions and Receipts – Box C ▶</b> |                              |                                |

97043773702



**Exhibit 2**

97043/73793



**Exhibit 3**

97043773795

SCHEDULE A

ITEMIZED RECEIPTS

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

PAGE 1 OF 1  
FOR LINE NUMBER 0

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

NAME OF COMMITTEE (in Full)

**MASCARA FOR CONGRESS**

9 2 0 1 6 5 3 4 2 5

| A. Full Name, Mailing Address and ZIP Code<br><i>MASCARA CAMPAIGN COMMITTEE<br/>25 ...<br/>Cape ...</i>                     | Name of Employer<br><br>Occupation<br>Aggregate Year-to-Date <u>5</u> | Date (month, day, year) | Amount of Each Receipt This Period<br><br><u>40,000</u> |
|---|---|-------------------------|---|
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br><br>Occupation<br>Aggregate Year-to-Date <u>5</u> | Date (month, day, year) | Amount of Each Receipt This Period                      |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br><br>Occupation<br>Aggregate Year-to-Date <u>5</u> | Date (month, day, year) | Amount of Each Receipt This Period                      |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br><br>Occupation<br>Aggregate Year-to-Date <u>5</u> | Date (month, day, year) | Amount of Each Receipt This Period                      |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br><br>Occupation<br>Aggregate Year-to-Date <u>5</u> | Date (month, day, year) | Amount of Each Receipt This Period                      |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br><br>Occupation<br>Aggregate Year-to-Date <u>5</u> | Date (month, day, year) | Amount of Each Receipt This Period                      |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br><br>Occupation<br>Aggregate Year-to-Date <u>5</u> | Date (month, day, year) | Amount of Each Receipt This Period                      |

SUBTOTAL of Receipts This Page (optional) ..... 40,000  
 TOTAL This Period (fill page this line number only) ..... 40,000

**Exhibit 4**

97043773797

### SCHEDULE III UNPAID DEBTS AND OBLIGATIONS

USE THIS SECTION TO ITEMIZE ALL UNPAID DEBTS AND OBLIGATIONS WHICH ARE OUTSTANDING AT THE END OF THE REPORTING PERIOD.

|   |                         |
|---|-------------------------|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b> | <b>REPORTING PERIOD</b> |
| MASCARA CAMPAIGN COMMITTEE                      | From 5/29/92 To 9/14/92 |

| DATE(S) | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR                                    | DESCRIPTION OF DEBT   | AMOUNT      |
|---------|--|---|-------------|
| 4/16/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022                | (\$40,000)<br>Loan to Campaign                                      | \$32,000.00 |
| 5/28/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022                | Loan to Campaign  | 1,000.00    |
| 5/28/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022                | Loan to Campaign  | 1,000.00    |
| 5/28/92 | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022                | Loan to Campaign  | 1,000.00    |
| 9/14/92 | Frederick/Schneiders, Inc.<br>1818 N Street, N.W., Suite 505<br>Washington, D.C. 20036 | Fee to conduct poll<br>of Wash. Co. voters<br>(just rec'd. invoice) | 4,400.00    |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |
|         |  |   |             |

8  
C  
7  
3  
7  
7  
3  
7  
4  
3  
7  
0  
4  
7  
9

|   |   |             |
|---|---|-------------|
| Subtotal This Page (Optional)                 | ▶ | \$39,400.00 |
| Total - Enter on Page 1 (Face Sheet) - Item F | ▶ |             |

## SCHEDULE III UNPAID DEBTS AND OBLIGATIONS

**USE THIS SECTION TO ITEMIZE ALL UNPAID DEBTS AND OBLIGATIONS WHICH ARE OUTSTANDING AT THE END OF THE REPORTING PERIOD.**

| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST        |   | REPORTING PERIOD                                       |             |
|---|---|--|-------------|
| MASCARA CAMPAIGN COMMITTEE                      |   | From 9/15/92 To 10/19/92                               |             |
| DATE(S)   | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR                     | DESCRIPTION OF DEBT                                    | AMOUNT      |
| 4/16/92   | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | (\$40,000) Loan<br>to Mascara for Congress<br>Campaign | \$31,000.00 |
| 5/28/92   | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Loan to Campaign                                       | \$ 1,000.00 |
| 5/28/92   | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Loan to Campaign                                       | \$ 1,000.00 |
| 5/28/92   | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Loan to Campaign                                       | \$ 1,000.00 |
| 4/16/92 -<br>10/05/92                           | Total accrued bank interest on<br>\$40,000 loan                         | Interest on Loan                                       | \$ 1,266.28 |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
|   |   |  |             |
| Subtotal This Page (Optional) ▶                 |   |  |             |
| Total - Enter on Page 1 (Face Sheet) - Item F ▶ |   |  | \$35,266.28 |

97043773709

### SCHEDULE III UNPAID DEBTS AND OBLIGATIONS

**USE THIS SECTION TO ITEMIZE ALL UNPAID DEBTS AND OBLIGATIONS WHICH ARE OUTSTANDING AT THE END OF THE REPORTING PERIOD.**

|   |                           |
|---|---------------------------|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b> | <b>REPORTING PERIOD</b>   |
| MASCARA CAMPAIGN COMMITTEE                      | From 10/20/92 To 12/31/92 |

| DATE(S)  | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR                          | DESCRIPTION OF DEBT   | AMOUNT    |
|----------|--|---|-----------|
| 4/16/92  | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022      | \$40,000 loan plus<br>bank interest accrued<br>until 12/31/92 | 35,344.07 |
| 5/28/92  | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022      | Loan  | 1,000.00  |
| 5/28/92  | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022      | Loan  | 1,000.00  |
| 5/28/92  | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022      | Loan  | 1,000.00  |
| 10/28/92 | Committee to Elect Petrosky<br>2469 Jefferson Avenue<br>Washington, PA 15301 | Loan  | 750.00    |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |
|          |  |   |           |

|  |             |
|--|-------------|
| <b>Subtotal This Page (Optional)</b>                 | ▶           |
| <b>Total - Enter on Page 1 (Face Sheet) - Item F</b> | ▶ 39,094.07 |

97043773800C



## SCHEDULE III UNPAID DEBTS AND OBLIGATIONS

USE THIS SECTION TO ITEMIZE ALL UNPAID DEBTS AND OBLIGATIONS WHICH ARE OUTSTANDING AT THE END OF THE REPORTING PERIOD.

| NAME OF CANDIDATE, COMMITTEE OR LOBBYIST      |   |                                      | REPORTING PERIOD                    |
|---|---|--------------------------------------|-------------------------------------|
| <i>Mascara Campaign Committee</i>             |   |                                      | From <i>1-1-93</i> To <i>5-3-93</i> |
| DATE(S)                                       | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR                                   | DESCRIPTION OF DEBT                  | AMOUNT                              |
| <i>4-16-92</i>                                | <i>Frank R. &amp; Dolores Mascara<br/>831 Lincoln Avenue<br/>Washington PA 15301</i>  | <i>Loan (plus \$384.96 interest)</i> | <i>30,067.07</i>                    |
| <i>5-28-92</i>                                | <i>Frank R. &amp; Dolores Mascara</i>   | <i>Loan</i>                          | <i>1,000.00</i>                     |
| <i>5-28-92</i>                                | <i>Frank R. &amp; Dolores Mascara</i>   | <i>Loan</i>                          | <i>1,000.00</i>                     |
| <i>5-28-92</i>                                | <i>Frank R. &amp; Dolores Mascara</i>   | <i>Loan</i>                          | <i>1,000.00</i>                     |
| <i>10-28-92</i>                               | <i>Committee to Elect Petersky<br/>2469 Jefferson Avenue<br/>Washington, PA 15301</i> | <i>Loan</i>                          | <i>750.00</i>                       |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
|   |   |                                      |                                     |
| Subtotal This Page (Optional)                 |   |                                      | <i>33,817.07</i>                    |
| Total - Enter on Page 1 (Face Sheet) - Item F |   |                                      | <i>33,817.07</i>                    |

97043773801

### SCHEDULE III UNPAID DEBTS AND OBLIGATIONS

USE THIS SECTION TO ITEMIZE ALL UNPAID DEBTS AND OBLIGATIONS WHICH ARE OUTSTANDING AT THE END OF THE REPORTING PERIOD.

|   |  |                         |           |
|---|--|-------------------------|-----------|
| <b>NAME OF CANDIDATE, COMMITTEE OR LOBBYIST</b> |  | <b>REPORTING PERIOD</b> |           |
| MASCARA CAMPAIGN COMMITTEE                      |  | From 5/4/93             | To 6/7/93 |

| DATE(S)      | FULL NAME, MAILING ADDRESS AND ZIP CODE OF CREDITOR                           | DESCRIPTION OF DEBT                | AMOUNT      |
|--------------|---|------------------------------------|-------------|
| 4/16/92      | Frank R. & Dolores Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022       | Loan plus accrued interest to date | \$29,108.85 |
| 5/28/92      | Frank R. & Dolores Mascara  | Loan                               | 1,000.00    |
| 2 5/28/92    | Frank R. & Dolores Mascara  | Loan                               | 1,000.00    |
| 8 5/28/92    | Frank R. & Dolores Mascara  | Loan                               | 1,000.00    |
| 3 7 10/28/92 | Committee to Elect Petrosky.<br>2469 Jefferson Avenue<br>Washington, PA 15301 | Loan                               | 750.00      |
| 7            |   |                                    |             |
| 3            |   |                                    |             |
| 4            |   |                                    |             |
| 0            |   |                                    |             |
| 7            |   |                                    |             |
| 9            |   |                                    |             |

|   |               |
|---|---------------|
| Subtotal This Page (Optional)                   | ▶ \$32,858.85 |
| Total -- Enter on Page 1 (Face Sheet) -- Item F | ▶ \$32,858.85 |





97043773805

Exhibit 5

January 20, 1995

Larry Spahr, Director  
Washington County Elections Office  
201 Courthouse Square  
Washington, PA 15301

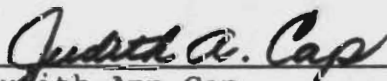
Dear Mr. Spahr:

The purpose of this correspondence is to inform you of the termination of the Mascara Campaign Committee.

The unpaid debt in the amount of \$6,012.39 is the balance of a personal loan to the campaign committee from the candidate. Please be advised that the candidate, Frank R. Mascara, hereby absolves the campaign committee from the unpaid debt of \$6,012.39.

If you have any questions regarding this matter, please contact me at (412) 228-6720.

Yours truly,

  
\_\_\_\_\_  
Judith Ann Cap  
Treasurer  
Mascara Campaign Committee

97043773806

**Exhibit 6**

97043773807

BEFORE THE FEDERAL ELECTION COMMISSION

MLR 4194

AFFIDAVIT OF JUDITH A. CAP

I, Judith A. Cap, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.
2. I was the treasurer of the Mascara Campaign Committee from January 1992 until its termination in 1994.
3. During 1992 and 1993, the State Committee was required under Pennsylvania law to file an Annual Report on January 31, 1993 and January 31, 1994. No other reports were required to be filed because Mr. Mascara was not a candidate for election in those years.
4. The reports covering the periods 1/1/92-4/12/92, 4/13/92-5/18/92, 5/19/92-9/14/92, 9/15/92-10/19/92, 10/20/92-12/31/92, 1/1/93-5/3/93, and 5/4/93-6/7/93 were prepared and filed for the purpose of disclosing transfers from the State Committee to Mascara for Congress.
5. These reports were filed with the State Elections Commission in order to disclose all federal-related activity.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4 day of May, 1995.

  
Judith A. Cap

97043773808



Exhibit 7

97043773809

BEFORE THE FEDERAL ELECTION COMMISSION

MUR 4194

AFFIDAVIT OF JOEL C. REBOVICH

I, Joel C. Rebovich, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set fourth herein.

2. I serve as the Vice President at Charleroi Federal Savings Bank (the "Bank"). I have been employed by the Bank since September 15, 1986.

3. As evidenced by the Promissory Note dated April 16, 1992 (attached as Exhibit A), and the Schedule C-1 dated September 14, 1993 (attached as Exhibit B), Congressman Mascara took out a loan with the Bank in the amount of \$40,000.00 at 7.5 percent interest payable in 180 days.

4. The Schedule C-1 states that the collateral to secure the loan was the personal residence of Congressman Mascara valued at \$55,000.00.

5. At the time Congressman Mascara applied and was approved for the loan, he and his wife had combined assets of

6. Any and all of these assets could have served as collateral for the loan of \$40,000.00.

7. Under the terms and conditions of the Promissory Note, Charleroi Federal Savings Bank could have gone against any and all of these assets if Congressman Mascara had failed to make the requisite repayments on the loan.

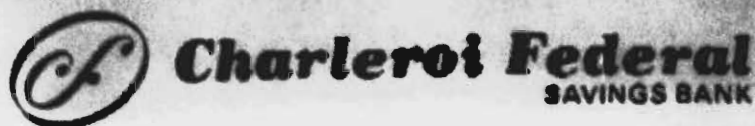
Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 3rd day of May, 1995.

  
Joel C. Rebovich

970437381C

**Exhibit 8**

97043773811



FIRST STREET AND MCKEAN AVENUE  
CHARLEROI, PA 15022  
PHONE 412-483-3566

July 25, 1996

Congressman and Mrs Frank Mascara  
831 Lincoln Avenue  
Charleroi, PA 15022

IN RE:  
CHARLEROI FEDERAL SAVINGS BANK  
1992 INDEBTEDNESS (\$40,000)

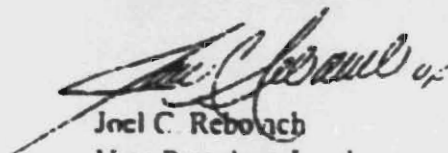
Dear Congressman and Mrs Mascara

In regard to the above referenced indebtedness, please be advised that at the time you created this indebtedness you executed a confession of judgement note along with a mortgage on the property known as 609-111 Fallowfield Avenue, Charleroi, PA and 831 Lincoln Avenue, Charleroi, PA. Due to your excellent credit record and performance, the Bank elected to not record the executed mortgage. The effect was to carry the note unsecured until a failure to pay or default occurred. As a result of excellent payment, the note was refinanced and the unrecorded mortgage was voided. I have attached a copy of the unrecorded void mortgage.

I hope this communication will clarify the inquiry, but if you need further verification please feel free to call my office

Very truly yours,

CHARLEROI FEDERAL SAVINGS BANK

  
Joel C. Reboach  
Vice President, Lending

JCR:pz  
Attachment

cc Attn Holly Schalder  
c/o Perkins Coie  
607 14th Street NW  
Suite 800  
Washington, DC 20005

97043773812

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

September 25, 1996

SEP 30 1 05 PM '96  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

Elizabeth Stein, Esq.  
Office of the General Counsel  
Federal Election Commission  
Sixth Floor  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 4194

Dear Ms. Stein:

This letter confirms our conversation that Respondents will submit a supplemental response in MUR 4194 on Monday, October 7, 1996.

Sincerely,

*B. Holly Schadler*  
B. Holly Schadler (vcm)  
Counsel to Respondents

97043773813

[23607-0001/DA962690.030]

**PERKINS COIE**

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. WASHINGTON, D.C. 20005-2011  
TELEPHONE 202 628-6600 FACSIMILE 202 434-1690

OCT 13 1996

**October 7, 1996**

Elizabeth Stein, Esq.  
Office of the General Counsel  
Federal Election Commission  
Sixth Floor  
999 E Street, N.W.  
Washington, D.C. 20463

OCT 8 11 42 AM '96  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE GENERAL COUNSEL

**Re: MUR 4194**

Dear Ms. Stein:

Pursuant to our meeting on September 20, 1996, I am filing this supplemental response and affidavit on behalf of Respondents to address the issues we discussed in this matter.

1. Issue. How were the funds raised to repay the bank loan from Charleroi Federal Savings Bank?

The funds were raised by several individuals primarily through telephone calls and personal solicitations. No fundraiser was held for the purpose of raising these funds.

97043773814

Elizabeth Stein, Esq.  
Office of the General Counsel  
October 7, 1996  
Page 2

3. Issue. You asked that we address the issue of why the bank loan funds were first loaned to the State Committee and subsequently transferred to the federal committee.

At the time Congressman Mascara decided to run for federal office he had a state committee that had been in existence since 1973 to support his campaigns for both Comptroller and County Commissioner. His campaign for Congress began in March and ended six weeks later in April, 1992. Except for that brief period of time during which he ran for Congress, Congressman Mascara had conducted all of his campaign activity through the State Committee. In order to provide the necessary funds to initiate his Congressional campaign, funds in an amount of approximately \$10,000 were transferred from the State Committee to the federal committee. Subsequent to that transfer, the bank loan was similarly treated as a transfer from the state to the federal committee.

At the time the loan was made, the Federal Election Commission's regulation permitted transfers from a state to a federal committee so long as the state committee could demonstrate that it had sufficient federally permissible funds to make such a transfer. The Congressman had historically used the State Committee to conduct all of his political activities and saw no reason to deviate from this practice. Therefore, the bank loan was considered a loan from the State Committee to the federal committee and reported accordingly. See Respondents' response to the Federal Election Commission dated July 26, 1996 for more detail regarding the reporting of this loan.

Contrary to the suggestion in the Factual and Legal Analysis, there was absolutely no intention at the time of the loan or subsequently to raise excessive funds through the State Committee to repay the federal committee's debt. See Affidavit of Edward Mendola at ¶ 5. When the funds were raised to repay the loan, the campaign was over. The fundraising was conducted largely by a few volunteers who were not familiar with federal campaign finance laws, having only worked on a federal campaign for just over six weeks.

Under Pennsylvania law, the State Committee was permitted to raise unlimited funds from individual sources. At the time the funds were being raised, the State Committee was also raising funds to conduct both County Commissioner campaign activities and to repay the bank loan. This caused confusion regarding the requirement to aggregate contributions with those to the federal campaign. As a consequence,

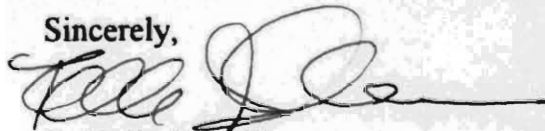
97043773815

Elizabeth Stein, Esq.  
Office of the General Counsel  
October 7, 1996  
Page 3

contributions to the State Committee were not uniformly aggregated with contributions to the federal committee. While errors may have been made in raising funds to repay the loan, any use of excessive funds for this purpose was inadvertent and not connected in any way to the initial decision to structure the loan as a transfer of funds from the State Committee.

If you have any additional questions, please feel free to contact me.

Sincerely,



B. Holly Schadler  
Counsel to Respondents

Attachments

97043773816



BEFORE THE FEDERAL ELECTION COMMISSION


MUR 4194

AFFIDAVIT OF EDWARD MENDOLA

I, Edward Mendola, hereby state as follows:

1. I have personal knowledge of the facts set forth herein and if called to testify in this matter, I would testify as set forth herein.
2. I have served as treasurer of the Mascara for Congress Committee ("MCC") since March, 1992.
3. I was the treasurer of the Committee at the time the decision was made to borrow funds from the Charleroi Federal Savings Bank for the purpose of making a loan to the Mascara Campaign Committee ("State Committee") and transferring those funds to MCC.
4. Because transfers from a state committee to a federal committee were expressly permitted under the Federal Election Commission's regulations at the time the loan was made, there was no reason not to have the loan from the State Committee to Mascara for Congress.
5. In structuring the loan in this manner, there was no intention to raise funds into the State Committee in excess of the federal limits to pay back the bank loan.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 4<sup>th</sup> day of October, 1996.

  
Edward Mendola

97043773817



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

Dec 12 1 11 PM '96

December 10, 1996

**TWO WAY MEMORANDUM**

TO: OGC Docket  
FROM: Rosa E. Swinton Accounting Technician Leslie D. Brown Disbursing Technician  
SUBJECT: Account Determination for Funds Received

Dec 12 1 12 PM '96

FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

We recently received a check from **Mascara for Congress**, check number **1562**, dated **December 9, 1996**, for the amount of **\$10,000.00**. 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 Disbursing Technician  
FROM: OGC Docket *Byaa*  
SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 10,000.00 the MUR/Case number is 4194 and in the name of Mascara 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

12-13-96  
Date

9704373818

1562

MASCARA FOR CONGRESS

DATE 12.9.96

8-28  
430

PAY TO THE ORDER OF *Federal Election Commission*

\$ 10,000.00

*Ten thousand and 00/100*

DOLLARS



Mellon Bank

Western Branch  
Pittsburgh, Pa.

FOR PAYMENT TO COMMISSION

⑆001562⑆ ⑆043000261⑆ 110⑆ 7230⑆

*Joe Spinnelli*

97043773819

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

DEC 27 2 57 PM '96

In the Matter of )  
 )  
Mascara for Congress and )  
Edward Mendola, as treasurer )  
 )  
Mascara Campaign Committee and )  
Judith A. Cap, as treasurer )  
 )

MUR 4194

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

Attached is a conciliation agreement submitted on behalf of Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith A. Cap, as treasurer ("Respondents"). Attachment 1. The attached agreement contains facts and admissions relating to various activity conducted during the course of Congressman Mascara's unsuccessful 1992 campaign for the U.S. House of Representatives together with a civil penalty of \$50,000. The agreement additionally requires that Respondents refund \$12,500 in excessive contributions received.<sup>1</sup> For the reasons set forth below, this Office recommends the Commission accept the attached agreement and close the file in this matter.

This matter resulted from a referral from the Reports Analysis Division in 1994.

In April 1992, Frank R. Mascara ran in the primary election for the House of Representatives in the 20th district of Pennsylvania.<sup>2</sup> At that time, Mascara Campaign Committee, Mr. Mascara's existing state committee ("State Committee,") registered with the Commission in order to

<sup>1</sup> Respondents submitted \$10,000 towards the payment of the civil penalty as specified in the agreement.

<sup>2</sup> Although defeated in the 1992 primary, Congressman Mascara was subsequently elected in 1994 and 1996, and is currently a member of Congress.

9704377382C

transfer funds to the Federal Committee. The State Committee correctly reported the transfer, demonstrated that it came from permissible funds, and requested termination. The Commission granted the State Committee's request for termination and informed the State Committee that if additional transfers were made, the State Committee would need to re-register and file reports of the transfers with the Commission. However, during 1992 and 1993, the State Committee made \$52,500 in transfers without re-registering or reporting the transfers to the Commission.

Of the \$52,500 in unreported transfers, \$40,000 originated from a bank loan obtained by the candidate, the terms of which were misreported to the Commission. While the Schedule C-1 filed by Mascara for Congress ("Federal Committee") in response to an RFAI reported that the loan was secured by a personal residence valued at \$55,000, and that the lender had a perfected security interest in the collateral, the investigation subsequently revealed that the lender did not perfect a security interest in any collateral offered for the loan, and the personal residence valued at \$55,000 was, at best, only a portion of the collateral made available to the bank. The Federal Committee also failed to file a 48 hour contribution notice for the bank loan as well as failing to file 48 hour notices for thirty-three other contributions.

After the conclusion of the primary campaign, the State Committee repaid the \$40,000 candidate bank loan spent on the federal campaign without reporting the repayments. The repayments were made both with funds raised from donors who had already made the maximum allowable contribution to the Federal Committee, and from contributions in excess of \$1,000 made directly to the State Committee. At least \$12,500 was solicited from donors who had already made the maximum permissible contribution to the Federal Committee. This method of handling the loan, contributing it to the State Committee, immediately transferring it to the

9704373821

Federal Committee, then making unreported repayments from the State Committee which appear to have contained excessive contributions, suggested that the transaction was a scheme designed to knowingly and willfully repay the loan with funds not available through the Federal Committee.

**II. DISCUSSION OF PROPOSED CONCILIATION AGREEMENT**

97043773822

**III. GENERAL COUNSEL'S RECOMMENDATIONS**

1. Accept the attached conciliation agreement submitted on behalf of Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith A. Cap, as treasurer
  
2. Close the file.

Lawrence M. Noble  
General Counsel

12.27.96  
Date

BY *L. G. Kerner*  
L. G. Kerner  
Associate General Counsel

97043773823

BEFORE THE FEDERAL ELECTION COMMISSION

|                                |   |          |
|--------------------------------|---|----------|
| In the Matter of               | ) |          |
|                                | ) |          |
| Mascara for Congress and       | ) | MUR 4194 |
| Edward Mendola, as treasurer;  | ) |          |
| Mascara Campaign Committee and | ) |          |
| Judith A. Cap, as treasurer.   | ) |          |

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 3, 1997, the Commission decided by a vote of 4-0 to take the following actions in MUR 4194:

1. Accept the conciliation agreement submitted on behalf of Mascara for Congress and Edward Mendola, as treasurer, and Mascara Campaign Committee and Judith A. Cap, as treasurer, as recommended in the General Counsel's Report dated December 27, 1996.
2. Close the file.

Commissioners Aikens, Elliott, McGarry, and Thomas voted affirmatively for the decision. Commissioner McDonald did not cast a vote.

Attest:

1-6-97  
Date

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

|                               |                     |            |
|-------------------------------|---------------------|------------|
| Received in the Secretariat:  | Fri., Dec. 27, 1996 | 2:57 p.m.  |
| Circulated to the Commission: | Mon., Dec. 30, 1996 | 11:00 a.m. |
| Deadline for vote:            | Fri., Jan. 03, 1997 | 4:00 p.m.  |

mwd

97043773824





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 8, 1997

B. Holly Schadler, Esq.  
Perkins Coie  
607 Fourteenth St., N.W.  
Washington, D.C. 20005-2011

RE: MUR 4194  
Dolores Mascara

Dear Ms. Schadler:

On March 17, 1995, the Federal Election Commission found reason to believe your client Dolores Mascara had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. On June 11, 1996, after considering the circumstances of the matter, the Commission determined to take no further action against Dolores Mascara. Accordingly, the Commission closed its file in this matter as it pertained to her at that time.

This letter is to advise you that this matter is now closed. The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and the 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.

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

Sincerely,

Elizabeth M. Stein  
Attorney

97043773825



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 8, 1997

B. Holly Schadler, Esq.  
Perkins Coie  
607 Fourteenth St., N.W.  
Washington, D.C. 20005-1690

RE: MUR 4194

Mascara for Congress and  
Edward Mendola, as treasurer

Mascara Campaign Committee and  
Judith A. Cap, as treasurer

Dear Ms. Schadler:

On January 3, 1997, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your clients in settlement of violations of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file in this matter has been closed.

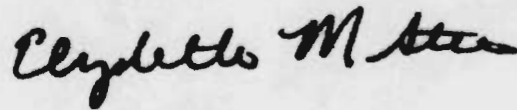
The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any 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.

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 agreement, however, will become a part of the public record.

97043773826

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the balance of the civil penalty is due within 60 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3690.

Sincerely,



Elizabeth M. Stein  
Attorney

Enclosure  
Conciliation Agreement

9704377387

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 ) MUR 4194  
Mascara for Congress and )  
Edward Mendola, as treasurer )  
 )  
Mascara Campaign Committee and )  
Judith A. Cap, as treasurer )  
 )

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. §§ 434(a)(6)(A), 434(b) and 11 C.F.R. § 104.3(d), and knowingly and willfully violated 2 U.S.C § 441a(f). The Commission also found reason to believe that Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. §§ 433(a), 434(b), and knowingly and willfully violated 2 U.S.C § 441a(f), and 11 C.F.R. § 102.5.

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this 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.

9704373808

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

1. Mascara for Congress ("Federal Committee") is the authorized principal campaign committee of Congressman Frank R. Mascara, and is a political committee within the meaning of 2 U.S.C. § 431(4).
2. Edward Mendola is the treasurer of Mascara for Congress.
3. Mascara Campaign Committee ("State Committee") was the campaign committee of Frank R. Mascara for his elected position as County Commissioner of Washington County, Pennsylvania from 1984 through 1994. Mascara Campaign Committee was also an authorized federal political committee affiliated with Mascara for Congress pursuant to 2 U.S.C. § 431(4) in 1992 and 1993.
4. Judith A. Cap was the treasurer of the Mascara Campaign Committee.
5. In April 1992, Mr. Mascara together with Dolores Mascara obtained a loan for \$40,000 from the Charleroi Federal Savings Bank which they contributed to the Mascara Campaign Committee and Judith A. Cap, as treasurer. Mascara Campaign Committee transferred the bank loan to Mascara for Congress and Edward Mendola, as treasurer, where it was used in connection with Frank R. Mascara's 1992 federal election campaign.
6. The Act requires that a bank loan obtained by a candidate be reported in the first report following a political committee's receipt of the loan. 2 U.S.C. § 434(b), 11 C.F.R. § 104.3(d)(1). Commission regulations require that a Schedule C-1 be filed which contains the date and amount of the loan; the interest rate and rate of repayment; the types and value of collateral that secure the loan and whether the security is perfected; and a certification from the lending institution vouching that the terms of the loan as reported are accurate, that they are aware of the Commission's loan

97043773829

1003

regulations, and that the loan is made on a basis that assures repayment and with no more favorable rates or terms than other loans. *Id.*

7. The Schedule C-1 filed in connection with the \$40,000 loan reported that the loan was secured by a personal residence valued at \$55,000 and that the bank had a perfected security interest in the collateral. The investigation in this matter has revealed that in addition to the candidate's personal residence, collateral for the loan included personal bank accounts and other properties owned by the candidate. While the bank could have proceeded against any and all assets of Congressman Mascara, including the residence on which he gave the bank a mortgage, the bank did not perfect its security interest in the residence as stated in the Schedule C-1.

8. Commission regulations also require that a copy of the loan or line of credit agreement which describes the terms and conditions of a loan or line of credit be filed together with a Schedule C-1. 11 C.F.R. § 104.3(d)(2). Mascara for Congress has provided these documents to the Commission.

9. Mascara for Congress and Edward Meadola, as treasurer, reported the receipt of draws on two lines of credit in April 1992. While the required Schedule C-1s were filed which accurately represented the terms of the lines of credit, along with bank statements evidencing the draws, the original agreements for the lines of credit were not provided in violation of 11 C.F.R. § 104.3(d)(2).

10. Prior to July 1993, state committees were permitted to make transfers to federal political committees under specified conditions. 11 C.F.R. § 110.3(c)(6). In order to transfer in excess of \$1,000 in any calendar year, state committees were required to register with the Commission as federal political committees and file reports disclosing the original source of the transfer to ensure the transfer was not composed of funds considered excessive or prohibited under the Act. 2 U.S.C. §§ 433, 434(b)(4)(B), 11 C.F.R. § 110.3(c)(6).

970437387C

11. Mascara Campaign Committee registered with the FEC on April 6, 1992 as an authorized committee. Mascara Campaign Committee transferred \$10,635 to Mascara for Congress and requested termination under federal Law.

12 On April 28, 1992, Mascara Campaign Committee and Judith A. Cap, as treasurer transferred the \$40,000 bank loan to Mascara for Congress and Edward Mendola, as treasurer. Mascara Campaign Committee and Judith A. Cap, as treasurer, failed to file a report with the Commission disclosing the transfer or the source of the transferred funds in violation of 2 U.S.C. § 434(b)(4)(B).

13. Between June 1992 and May 1993, Mascara Campaign Committee made five additional transfers to Mascara for Congress: \$2,500 on June 11, 1992; \$3,000 on August 11, 1992; \$1,000 on August 12, 1992; \$3,000 on September 9, 1992; and \$3,000 on May 5, 1993. The Commission sends correspondence to all committees and treasurers at the time termination is granted notifying them of the obligation to re-register and report in the event that further federal activity is undertaken. The Mascara Campaign Committee contends that it was not aware that the Committee was required to register and report to the FEC transfers that were made up of funds borrowed from the candidate. While the transfers in the amount of \$12,500 were disclosed on Mascara Campaign Committee's Pennsylvania state reports in a timely manner, the Committee did not re-register with the Commission in violation of 2 U.S.C. § 433(a) and did not report the transfers to the FEC in violation of 2 U.S.C. § 434(b)(4)(B). The receipts of these transfers were disclosed in the Mascara for Congress federal reports in a timely manner.

14. A state committee which undertook any federal activity other than transfers or joint fundraising, would also be required to operate in accordance with the provisions of 11 C.F.R. § 102.5 then in effect for political committees conducting both federal and non-federal activity. The

9704377381

state committee would be required to either establish separate federal and non-federal accounts, or to operate the state committee in accordance with the limitations and prohibitions of the Act.

11 C.F.R. § 102.5(a)(1).

15. Between June 9, 1992, and December 8, 1993, Mascara Campaign Committee and Judith A. Cap, as treasurer, made 16 payments, totaling \$41,261, on the \$40,000 bank loan obtained by the Mascaras. By repaying the \$40,000 loan on behalf of the Mascara for Congress and Edward Mendola, as treasurer, Mascara Campaign Committee and Judith A. Cap, as treasurer, triggered the requirements of 11 C.F.R. § 102.5 requiring Mascara Campaign Committee to either establish a federal account for contributions used for making the loan payments, or operate the State Committee in accordance with the Act. Mascara Campaign Committee accepted \$21,742 from 21 donors which exceeded the limits of the Act but were permissible under Pennsylvania law. \$12,250 of the \$21,742 came from donors who had already contributed the maximum allowable amount to the affiliated Federal Committee.

16. Mascara Campaign Committee accepted \$21,742 from 21 donors which exceeded the limits of the Act. By failing to establish federal and non-federal accounts and segregate the funds, and by soliciting contributions from donors who had made the maximum permissible contribution to the affiliated committee, Mascara Campaign Committee and Judith A. Cap, as treasurer, accepted \$21,742 in violation of 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5(a).

17. Of \$21,742 in excessive contributions accepted by Mascara Campaign Committee, \$12,250 came from donors who had already contributed the maximum allowable amount to Mascara for Congress and Edward Mendola, as treasurer. By allowing the affiliated State Committee to solicit funds from donors who had already made the maximum allowable contribution to Mascara for Congress, and use the funds to repay Mascara for Congress' debt, Mascara for

97043773872



Congress and Edward Mendola, as treasurer, indirectly accepted \$12,250 in excessive contributions in violation of 2 U.S.C. § 441a(f).

18 While the Commission originally found reason to believe that Respondents knowingly and willfully violated 2 U.S.C § 441a(f), no admission of a knowing and willful violation has been required by Respondents in this agreement.

19. Authorized political committees of a candidate are required to file reports itemizing disbursements including the full name and address of each person receiving a loan repayment during the reporting period together with the date and amount of the repayment. 2 U.S.C. § 434(b)(5)(D), 11 C.F.R. § 104.3(b)(4)(iii). Mascara Campaign Committee failed to file reports with the Commission indicating that Mascara Campaign Committee had made 16 loan repayments, totaling \$41,261, on the \$40,000 loan from Charleroi Federal Savings Bank in violation of 2 U.S.C. § 434(b)(5)(D). Mascara Campaign Committee disclosed each of these loan repayments in its Pennsylvania state reports.

20. The Act requires principal campaign committees of candidates for federal office to notify, in writing, either the Secretary of the U.S. Senate, the Clerk of the U.S. House of Representatives, or the Commission, and the Secretary of State, as appropriate, of each contribution totaling \$1,000 or more received by any authorized committee of the candidate after the 20th day, but more than 48 hours before any election. The notification must be made within 48 hours after the receipt of the contribution, and must include the name of the candidate, the date of the receipt, the amount of the contribution, and the identification of the contributor. 2 U.S.C. § 434(a)(6)(A).

21. Mascara for Congress failed to submit 48 hour notices for 34 contributions, totaling \$76,000, received between April 9 and April 19, 1992. The Commission sends information regarding the 48 hour notice provision, including the reporting and filing requirements and the

9  
7  
0  
4  
3  
7  
7  
3  
8  
3  
3

relevant dates, to all committees and treasurers. The Federal Committee contends that it understood that the first date of the 48 hour reporting period was April 10, not April 9. Therefore, the first day of reporting was missed.

V. 1. Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(a)(6)(A) by failing to report 34 contributions, totaling \$76,000, received after the 20th day, but more than 48 hours before the 1992 Pennsylvania primary election, within 48 hours of receipt of the contributions. Of the \$76,000, \$40,000 consisted of the loan discussed above.

2. Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 104.3(d)(1) by filing an inaccurate Schedule C-1 stating the terms of a bank loan.

3. Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 104.3(d)(2) by failing to file the original agreements describing the terms and conditions for the two lines of credit.

4. Mascara for Congress and Edward Mendola, as treasurer, violated 2 U.S.C. § 441a(f) by accepting \$12,250 in excessive contributions.

5. Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. § 433(a) by failing to register as a federal political committee in 1992 and 1993, and violated 2 U.S.C. § 434(b)(4)(B) by making \$52,500 in unreported transfers in 1992 and 1993.

6. Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. § 434(b)(5)(D) by failing to report \$ 41,261 in loan repayments.

7. Mascara Campaign Committee and Judith A. Cap, as treasurer, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5 by accepting \$21,742 which did not comply with the limitations of the Act during 1992 and 1993.

97043773874

VI. 1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of fifty thousand dollars (\$50,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Mascara for Congress and Edward Mendola, as treasurer, will disgorge \$12,250 in excessive contributions, will return such contributions to the original contributors of those funds, and will amend their disclosure reports to reflect the receipt of the excessive contributions.

3. Mascara Campaign Committee and Judith A. Cap, as treasurer, will file all required disclosure reports reflecting the Committee's federal activity with the Federal Election Commission.

VII. 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.

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


IX. Under the terms of this agreement, Respondents have paid to the Commission \$10,000 as a portion of the civil penalty provided in Paragraph VI, 1. Respondents shall have no more than 60 days from the date this agreement becomes effective to pay the remaining civil penalty balance of \$40,000, and to disgorge the appropriate funds. 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.

97043773835

X. This Conciliation 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

1/7/97  
Date

FOR THE RESPONDENTS:

  
B. Holly Schadler  
Counsel to Respondents

12/17/96  
Date

97043773836

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2000  
TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JUN 13 3 42 PM '97

January 13, 1997

Elizabeth Stein, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Sixth Floor  
Washington, D.C. 20463

**CLOSED**

**Re: MUR 4194 - Mascara for Congress Committee,  
Edward Mendola, as Treasurer, and Mascara Campaign  
Committee, Judith A. Cap, as Treasurer**

Dear Ms. Stein:

We request that you place this letter on the public record to provide additional information related to the resolution of this matter. Mascara for Congress agreed to settle this matter in order to avoid the expense of continued litigation and to expeditiously conclude proceedings that related to campaign activities over four years ago. Nevertheless, as the public record demonstrates, both Mascara for Congress and Mascara Campaign Committee fully disclosed their activities. Any errors the committees may have made in the 1992 campaign were a result of inexperience with the Commission's rules.

As evidence of Respondent's good faith efforts, the conciliation agreement with the Commission does not include an admission of a knowing and willful violation because there was no basis for such a finding.

This matter arose from a loan the Mascara Campaign Committee made to Mascara for Congress during Congressman Mascara's six week campaign for Congress in 1992. At the time the loan was made, the Federal Election Commission's regulations permitted transfers from a state to a federal committee.

- Every transaction and contribution related to the loan and its repayment was reported on the public record in a manner that could be understood by anyone reviewing the federal and state reports.

[23607-0001/DA970090.023]

97043773837

Elizabeth Stein, Esq.  
January 13, 1997  
Page 2

- Loans to Mascara for Congress were reported by both the federal and state committees.
- Every contribution raised to repay the loan was disclosed.

Notwithstanding any issue raised by the Federal Election Commission, the transfers to the federal committee were consistent with federal law and the loans and repayment were disclosed. Between the federal and state committees filings, the public record was complete.

The principal objective of the campaign finance laws is to ensure that the public is fully informed about who is supporting candidates for elective office and how they are spending their campaign funds. The public record demonstrates that the activities of Mascara for Congress and Mascara Campaign Committee were entirely consistent with this objective.

Sincerely,



B. Holly Schadler  
Counsel to Respondents

97043773838



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4194

DATE FILMED 2-3-97 CAMERA NO. 4

CAMERAMAN JMH

97043773879



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Date: 3/5/97

           Microfilm

           Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED NUR 4194

97043775329



# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

February 6, 1997

**By Federal Express**

Caryn Zimmerman, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

FEB 6 4 07 PM '97

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

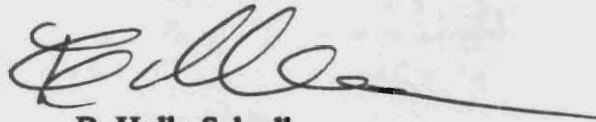
**Re: MUR 4194**

Dear Ms. Zimmerman:

Pursuant to our conversation, I am filing with you the report of the Mascara Campaign Committee prepared in accordance with the conciliation agreement signed in this matter and my conversations with Abigail Shaine. I understand that someone in your office will send the report to the Reports Analysis Division after reviewing them.

If you have any questions, please call me at 202-434-1634.

Sincerely,



B. Holly Schadler

BHS:bhs

[09901-0001/DA970370.036]

9704377533C

# STATEMENT OF ORGANIZATION

(See reverse side for instructions)

|   |  |
|---|--|
| <b>1. (a) NAME OF COMMITTEE IN FULL</b> <input type="checkbox"/> (Check if name is changed)<br>Mascara Campaign Committee | <b>2. DATE</b><br>2/4/97   |
| <b>(b) Number and Street Address</b> <input type="checkbox"/> (Check if address is changed)<br>831 Lincoln Avenue         | <b>3. FEC IDENTIFICATION NUMBER</b><br>C00264226   |
| <b>(c) City, State and ZIP Code</b><br>Charleroi, PA 15022  | <b>4. IS THIS STATEMENT AN AMENDMENT?</b><br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |

**5. TYPE OF COMMITTEE (Check one)**

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

|  |  |                                    |                                  |
|--|--|------------------------------------|----------------------------------|
| <b>Name of Candidate</b><br>Frank R. Mascara | <b>Candidate Party Affiliation</b><br>Democrat | <b>Office Sought</b><br>U.S. House | <b>State/District</b><br>PA/20th |
|--|--|------------------------------------|----------------------------------|

- (c) This committee supports/opposes only one candidate \_\_\_\_\_ and is NOT an authorized committee.  
(name of candidate)
- (d) This committee is a \_\_\_\_\_ committee of the \_\_\_\_\_ Party.  
(National, State or subordinate) (Democratic, Republican, etc.)
- (e) This committee is a separate segregated fund.
- (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

| 6. Name of Any Connected Organization or Affiliated Committee | Mailing Address and ZIP Code              | Relationship |
|---|---|--------------|
| Mascara for Congress  | 831 Lincoln Avenue<br>Charleroi, PA 15022 | Affiliated   |

Type of Connected Organization  
 Corporation  Corporation w/o Capital Stock  Labor Organization  Membership Organization  Trade Association  Cooperative

**7. Custodian of Records:** Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

| Full Name       | Mailing Address                       | Title or Position |
|-----------------|---------------------------------------|-------------------|
| Dolores Mascara | 831 Lincoln Ave., Charleroi, PA 15022 | Chairman          |

**8. Treasurer:** List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

| Full Name      | Mailing Address                     | Title or Position |
|----------------|-------------------------------------|-------------------|
| Judith Ann Cap | 18 Maple Drive, Charleroi, PA 15022 | Treasurer         |

**9. Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

| Name of Bank, Depository, etc. | Mailing Address and ZIP Code               |
|--------------------------------|--|
| Mellon Bank, N.A.              | 40 South Main Street, Washington, PA 15301 |

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

|   |                            |                      |
|---|----------------------------|----------------------|
| TYPE OR PRINT NAME OF TREASURER<br>JUDITH ANN CAP | SIGNATURE OF TREASURER<br> | DATE<br>Feb. 4, 1997 |
|---|----------------------------|----------------------|

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 557g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

For further information contact:  
 Federal Election Commission  
 Toll-free 800-424-9530

**FEC FORM 1**  
Transmittal 4/97

RECEIVED  
 FEDERAL ELECTION COMMISSION  
 OFFICE OF GENERAL COUNSEL

97043775331

# REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee  
(Summary Page)

USE FEC MAILING LABEL

OR  
TYPE OR PRINT

|  |                |  |
|--|----------------|--|
| 1. NAME OF COMMITTEE (in full)<br><b>Mascara Campaign Committee</b>  |                | 2. FEC IDENTIFICATION NUMBER<br><b>C00264226</b>   |
| ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported.<br><b>831 Lincoln Avenue</b> |                | 3. IS THIS REPORT AN AMENDMENT?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| CITY, STATE and ZIP CODE<br><b>Charleroi, PA 15022</b>   | STATE/DISTRICT |  |

### 4. TYPE OF REPORT

|   |  |
|---|--|
| <input type="checkbox"/> April 15 Quarterly Report                        | <input type="checkbox"/> Twelfth day report preceding _____<br>(Type of Election)                              |
| <input type="checkbox"/> July 15 Quarterly Report                         | election on _____ in the State of _____  |
| <input type="checkbox"/> October 15 Quarterly Report                      | <input type="checkbox"/> Thirtieth day report following the General Election on _____<br>in the State of _____ |
| <input type="checkbox"/> January 31 Year End Report                       |  |
| <input type="checkbox"/> July 31 Mid-Year Report (Non-election Year Only) | <input checked="" type="checkbox"/> Termination Report See Dates Below   |

This report contains activity for  Primary Election  General Election  Special Election  Runoff Election

### SUMMARY

|   | COLUMN A<br>This Period | COLUMN B<br>Calendar Year-to-Date   |
|---|-------------------------|---|
| 5. Covering Period <u>4/16/92</u> through <u>12/31/93</u>                                     |                         |   |
| 6. Net Contributions (other than loans)   |                         |   |
| (a) Total Contributions (other than loans) (from Line 11(e))                                  | 41,261.96               | 41,261.96   |
| (b) Total Contribution Refunds (from Line 20(d))  | 0                       | 0   |
| (c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))                       | 41,261.96               | 41,261.96   |
| 7. Net Operating Expenditures   |                         |   |
| (a) Total Operating Expenditures (from Line 17)   | 0                       | 0   |
| (b) Total Offsets to Operating Expenditures (from Line 14)                                    | 0                       | 0   |
| (c) Net Operating Expenditures (subtract Line 7(b) from 7(a))                                 | 0                       | 0   |
| 8. Cash on Hand at Close of Reporting Period (from Line 27)                                   | 0                       | For further information contact:<br>Federal Election Commission<br>999 E Street, NW<br>Washington, DC 20463<br>Toll Free 800-424-9530<br>Local 202-376-3120 |
| 9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)  | 0                       |   |
| 10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D) | 0                       |   |

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

|  |                             |
|--|-----------------------------|
| Type or Print Name of Treasurer<br><b>JUDITH ANN CAP</b> |                             |
| Signature of Treasurer<br><i>Judith Ann Cap</i>          | Date<br><i>Feb. 4, 1997</i> |

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

97043775332

|  |  |   |   |
|--|--|---|---|
| Name of Committee (in Full)<br><b>Mascara Campaign Committee</b>   |  |   |   |
| A. Full Name, Mailing Address and ZIP Code of Loan Source<br><b>Frank Mascara<br/>831 Lincoln Avenue<br/>Charlottesville, PA 15022</b><br>Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify): | Original Amount of Loan<br><b>40,000</b> | Cumulative Payment To Date<br><b>40,000</b> | Balance Outstanding at Close of This Period<br><b>0</b> |
| Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured   |  |   |   |
| List All Endorsers or Guarantors (if any) to Item A  |  |   |   |
| 1. Full Name, Mailing Address and ZIP Code<br><b>*See Mascara for Congress Reports for underlying source and terms for all items on Schedule C</b>   | Name of Employer                         |   |   |
|  | Occupation                               |   |   |
|  | Amount Guaranteed Outstanding:<br>\$     |   |   |
| 2. Full Name, Mailing Address and ZIP Code   | Name of Employer                         |   |   |
|  | Occupation                               |   |   |
|  | Amount Guaranteed Outstanding:<br>\$     |   |   |
| 3. Full Name, Mailing Address and ZIP Code   | Name of Employer                         |   |   |
|  | Occupation                               |   |   |
|  | Amount Guaranteed Outstanding:<br>\$     |   |   |
| B. Full Name, Mailing Address and ZIP Code of Loan Source<br><b>Same as Above</b><br>Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):  | Original Amount of Loan<br><b>2,500</b>  | Cumulative Payment To Date<br><b>2,500</b>  | Balance Outstanding at Close of This Period<br><b>0</b> |
| Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured   |  |   |   |
| List All Endorsers or Guarantors (if any) to Item B  |  |   |   |
| 1. Full Name, Mailing Address and ZIP Code   | Name of Employer                         |   |   |
|  | Occupation                               |   |   |
|  | Amount Guaranteed Outstanding:<br>\$     |   |   |
| 2. Full Name, Mailing Address and ZIP Code   | Name of Employer                         |   |   |
|  | Occupation                               |   |   |
|  | Amount Guaranteed Outstanding:<br>\$     |   |   |
| 3. Full Name, Mailing Address and ZIP Code   | Name of Employer                         |   |   |
|  | Occupation                               |   |   |
|  | Amount Guaranteed Outstanding:<br>\$     |   |   |
| SUBTOTALS This Period This Page (optional) . . . . .   |  |   |   |
| TOTALS This Period (last page in this line only) . . . . .   |  |   |   |
| Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.   |  |   |   |

97043775333

LOANS

|  |   |  |   |
|--|---|--|---|
| Name of Committee (in Full)<br><b>Mascara Campaign Committee</b>   |   |  |   |
| A. Full Name, Mailing Address and ZIP Code of Loan Source<br><br><b>Same as Above</b>  | Original Amount of Loan<br><b>3,000</b> | Cumulative Payment To Date<br><b>3,000</b> | Balance Outstanding at Close of This Period<br><b>0</b> |
| Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):     |   |  |   |
| Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured                               |   |  |   |
| List All Endorsers or Guarantors (if any) to Item A  |   |  |   |
| 1. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding<br>\$     |  |   |
| 2. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding<br>\$     |  |   |
| 3. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding<br>\$     |  |   |
| B. Full Name, Mailing Address and ZIP Code of Loan Source<br><br><b>Same as Above</b>  | Original Amount of Loan<br><b>1,000</b> | Cumulative Payment To Date<br><b>1,000</b> | Balance Outstanding at Close of This Period<br><b>0</b> |
| Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):     |   |  |   |
| Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured                               |   |  |   |
| List All Endorsers or Guarantors (if any) to Item B  |   |  |   |
| 1. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding<br>\$     |  |   |
| 2. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding<br>\$     |  |   |
| 3. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding<br>\$     |  |   |
| SUBTOTALS This Period This Page (optional) .....   |   |  |   |
| TOTALS This Period (last page in this line only) .....   |   |  |   |
| Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary. |   |  |   |

97043775374

LOANS

|  |   |  |   |
|--|---|--|---|
| Name of Committee (in Full)<br><b>Mascara Campaign Committee</b>   |   |  |   |
| A. Full Name, Mailing Address and ZIP Code of Loan Source<br><br><b>Same as Above</b>  | Original Amount of Loan<br><b>3,000</b> | Cumulative Payment To Date<br><b>3,000</b> | Balance Outstanding at Close of This Period<br><b>0</b> |
| Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):     |   |  |   |
| Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured                               |   |  |   |
| List All Endorsers or Guarantors (if any) to Item A  |   |  |   |
| 1. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding:<br>\$    |  |   |
| 2. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding:<br>\$    |  |   |
| 3. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding:<br>\$    |  |   |
| B. Full Name, Mailing Address and ZIP Code of Loan Source<br><br><b>Same as Above</b>  | Original Amount of Loan<br><b>3,000</b> | Cumulative Payment To Date<br><b>3,000</b> | Balance Outstanding at Close of This Period<br><b>0</b> |
| Election: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):     |   |  |   |
| Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) <input type="checkbox"/> Secured                               |   |  |   |
| List All Endorsers or Guarantors (if any) to Item B  |   |  |   |
| 1. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding:<br>\$    |  |   |
| 2. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding:<br>\$    |  |   |
| 3. Full Name, Mailing Address and ZIP Code   | Name of Employer                        |  |   |
|  | Occupation                              |  |   |
|  | Amount Guaranteed Outstanding:<br>\$    |  |   |
| SUBTOTALS This Period (This Page optional) .....   |   |  |   |
| TOTALS This Period (last page in this line only) .....   |   |  | <b>0</b>  |
| Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary. |   |  |   |

97043775335

**SCHEDULE B**

**ITEMIZED DISBURSEMENTS**

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

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

NAME OF COMMITTEE (in Part)

**Mascara Campaign Committee**

| A. Full Name, Mailing Address and ZIP Code                             | Purpose of Disbursement  | Date (month, day, year) | Amount of Each Disbursement This Period |
|--|--|-------------------------|---|
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 6/9/92<br>7/8/92        | 1,000<br>1,000                          |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 7/31/92<br>9/9/92       | 1,000<br>5,000                          |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 10/5/92<br>1/12/93      | 1,000<br>200                            |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 2/4/93<br>3/1/93        | 1,138.57<br>1,000                       |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 3/11/93<br>3/11/93      | 3,000<br>200                            |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 4/5/93<br>5/6/93        | 123.39<br>1,100.00                      |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 10/14/93<br>11/16/93    | 500<br>5,000                            |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
| Congressman Frank Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | loan repayment   | 11/23/93<br>12/8/93     | 5,000<br>5,000                          |
|  | Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) |                         |   |
|  |  |                         |   |
|  | Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify)            |                         |   |

SUBTOTAL of Disbursements This Page (optional) .....

41,261.96

TOTAL This Period (last page this line number only) .....

41,261.96

970437536

# DETAILED SUMMARY PAGE

of Receipts and Disbursements  
(Page 2, FEC FORM 3)

Name of Committee (in full) Mascara Campaign Committee Report Covering the Period: From: 6/16/92 To: 12/31/93

## I. RECEIPTS

|   | COLUMN A<br>Total This Period | COLUMN B<br>Calendar Year-To-Date |       |
|---|-------------------------------|-----------------------------------|-------|
| <b>11. CONTRIBUTIONS (other than loans) FROM:</b>                           |                               |                                   |       |
| (a) Individuals/Persons Other Than Political Committees                     |                               |                                   |       |
| (i) Itemized (see Schedule A)   | 40,917.00                     |                                   | 11(a) |
| (ii) Unitemized   | 344.96                        |                                   | 11(a) |
| (iii) Total of contributions from individuals                               | 41,261.96                     | 41,261.96                         | 11(a) |
| (b) Political Party Committees  | 0                             | 0                                 | 11(b) |
| (c) Other Political Committees (such as PACs)                               | 0                             | 0                                 | 11(c) |
| (d) The Candidate   | 0                             | 0                                 | 11(d) |
| (e) TOTAL CONTRIBUTIONS (other than loans) (add 11(a)(i), (b), (c) and (d)) | 41,261.96                     | 41,261.96                         | 11(e) |
| <b>12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES</b>                       | 0                             | 0                                 | 12    |
| <b>13. LOANS:</b>   |                               |                                   |       |
| (a) Made or Guaranteed by the Candidate                                     | 52,500.00                     | 52,500.00                         | 13(a) |
| (b) All Other Loans   | 0                             | 0                                 | 13(b) |
| (c) TOTAL LOANS (add 13(a) and (b))   | 52,500.00                     | 52,500.00                         | 13(c) |
| <b>14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)</b>       | 0                             | 0                                 | 14    |
| <b>15. OTHER RECEIPTS (Dividends, Interest, etc.)</b>                       | 0                             | 0                                 | 15    |
| <b>16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)</b>                 | 93,761.96                     | 93,761.96                         | 16    |

## II. DISBURSEMENTS

|  |           |           |       |
|--|-----------|-----------|-------|
| <b>17. OPERATING EXPENDITURES</b>                                | 0         | 0         | 17    |
| <b>18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES</b>              | 52,500.00 | 52,500.00 | 18    |
| <b>19. LOAN REPAYMENTS:</b>                                      |           |           |       |
| (a) Of Loans Made or Guaranteed by the Candidate                 | 41,261.96 | 41,261.96 | 19(a) |
| (b) Of All Other Loans   | 0         | 0         | 19(b) |
| (c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))                    | 41,261.96 | 41,261.96 | 19(c) |
| <b>20. REFUNDS OF CONTRIBUTIONS TO:</b>                          |           |           |       |
| (a) Individuals/Persons Other Than Political Committees          | 0         | 0         | 20(a) |
| (b) Political Party Committees                                   | 0         | 0         | 20(b) |
| (c) Other Political Committees (such as PACs)                    | 0         | 0         | 20(c) |
| (d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))          | 0         | 0         | 20(d) |
| <b>21. OTHER DISBURSEMENTS</b>                                   | 0         | 0         | 21    |
| <b>22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)</b> | 93,761.96 | 93,761.96 | 22    |

## III. CASH SUMMARY

|   |              |    |
|---|--------------|----|
| <b>23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD</b>                            | \$ 0         | 23 |
| <b>24. TOTAL RECEIPTS THIS PERIOD (from Line 16)</b>                                | \$ 93,761.96 | 24 |
| <b>25. SUBTOTAL (add Line 23 and Line 24)</b>                                       | \$ 93,761.96 | 25 |
| <b>26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)</b>                           | \$ 93,761.96 | 26 |
| <b>27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)</b> | \$ 0         | 27 |

97043775337



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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

|   |   |                                    |  |
|---|---|------------------------------------|--|
| <b>A. Full Name, Mailing Address and ZIP Code</b><br>Frank & Dolores Mascara<br>831 Lincoln Ave.<br>Charleroi, PA 15022<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):          | Name of Employer<br>Washington County                                     | Date (month, day, year)<br>5/28/92 | Amount of Each Receipt this Period<br>1,000.00 |
|   | Occupation Washington County Commissioner<br>Aggregate Year-to-Date > \$  |                                    |  |
| <b>B. Full Name, Mailing Address and ZIP Code</b><br>Frank R. & Dolores Mascara<br>831 Lincoln Ave.<br>Charleroi, PA 15022<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):       | Name of Employer<br>Washington County                                     | Date (month, day, year)<br>5/28/92 | Amount of Each Receipt this Period<br>1,000.00 |
|   | Occupation Washington County Commissioner<br>Aggregate Year-to-Date > \$  |                                    |  |
| <b>C. Full Name, Mailing Address and ZIP Code</b><br>Frank & Dolores Mascara<br>831 Lincoln Ave.<br>Charleroi, PA 15022<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):          | Name of Employer<br>Washington County                                     | Date (month, day, year)<br>5/28/92 | Amount of Each Receipt this Period<br>1,000.00 |
|   | Occupation Washington County Commissioner<br>Aggregate Year-to-Date > \$  |                                    |  |
| <b>D. Full Name, Mailing Address and ZIP Code</b><br>Donald C. Ivill/Nancy B. Ivill<br>15 Arentzen Blvd.<br>Charleroi, PA 15022<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):  | Name of Employer<br>General Industries                                    | Date (month, day, year)<br>5/26/92 | Amount of Each Receipt this Period<br>1,000.00 |
|   | Occupation Businessman/<br>Self Employed<br>Aggregate Year-to-Date > \$   |                                    |  |
| <b>E. Full Name, Mailing Address and ZIP Code</b><br>Donald C. Ivill/Nancy B. Ivill<br>15 Arentzen Blvd.<br>Charleroi, PA 15022<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):  | Name of Employer<br>General Industries                                    | Date (month, day, year)<br>7/6/92  | Amount of Each Receipt this Period<br>1,000.00 |
|   | Occupation Self-employed businessman<br>Aggregate Year-to-Date > \$       |                                    |  |
| <b>F. Full Name, Mailing Address and ZIP Code</b><br>Peter C. Rossin<br>621 Trotwood Circle<br>Pittsburgh, PA 15241<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):              | Name of Employer<br>Dynamet, Incorporated                                 | Date (month, day, year)<br>7/24/92 | Amount of Each Receipt this Period<br>500.00   |
|   | Occupation Businessman/<br>C.E.O.<br>Aggregate Year-to-Date > \$          |                                    |  |
| <b>G. Full Name, Mailing Address and ZIP Code</b><br>Dennis P. Moran/Margaret Moran<br>1063 Summer Place<br>Pittsburgh, PA 15243<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer  | Date (month, day, year)<br>7/24/92 | Amount of Each Receipt this Period<br>500.00   |
|   | Occupation Self-employed Graphics Designer<br>Aggregate Year-to-Date > \$ |                                    |  |

|   |       |
|---|-------|
| SUBTOTAL of Receipts This Page (optional) .....           | 6,000 |
| TOTAL This Period (last page this line number only) ..... |       |

97043775338

SCHEDULE A

ITEMIZED RECEIPTS

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

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

| A. Full Name, Mailing Address and ZIP Code  | Name of Employer                        | Date (month, day, year)     | Amount of Each Receipt this Period |
|---|---|-----------------------------|------------------------------------|
| Lynn P. Slagle<br>R.D. #1, Box 91-A<br>Fredericktown, PA 15333  |   | 8/7/92                      | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                              | Aggregate Year-to-Date > \$ |                                    |
| B. Full Name, Mailing Address and ZIP Code  | Name of Employer                        | Date (month, day, year)     | Amount of Each Receipt this Period |
| Oscar Worthy<br>400 Bellwood Drive<br>Pittsburgh, PA 15229  |   | 8/7/92                      | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                              | Aggregate Year-to-Date > \$ |                                    |
| C. Full Name, Mailing Address and ZIP Code  | Name of Employer                        | Date (month, day, year)     | Amount of Each Receipt this Period |
| Oscar Worthy<br>400 Bellwood Drive<br>Pittsburgh, PA 15229  |   | 8/7/92                      | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                              | Aggregate Year-to-Date > \$ |                                    |
| D. Full Name, Mailing Address and ZIP Code  | Name of Employer                        | Date (month, day, year)     | Amount of Each Receipt this Period |
| Charles R. & Pamela Zappala<br>91 Woodland Drive<br>Pittsburgh, PA 15228  | Russell Rea, Zappala & Gomulka Holdings | 8/7/92                      | 2,000.00                           |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Investment Banker/Pres.      | Aggregate Year-to-Date > \$ |                                    |
| E. Full Name, Mailing Address and ZIP Code  | Name of Employer                        | Date (month, day, year)     | Amount of Each Receipt this Period |
| Duane A. Kavka - Linda E. Kavka<br>171 Brooke Drive<br>Venetia, PA 15367  | Washington County Human Services        | 8/10/92                     | 300.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Administration               | Aggregate Year-to-Date > \$ |                                    |
| F. Full Name, Mailing Address and ZIP Code  | Name of Employer                        | Date (month, day, year)     | Amount of Each Receipt this Period |
| Lawrence W. Miller/Maxine Miller<br>176 Armour Dr.<br>Washington, PA 15301  | Self                                    | 8/11/92                     | 500.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Self-employed Roofer         | Aggregate Year-to-Date > \$ |                                    |
| G. Full Name, Mailing Address and ZIP Code  | Name of Employer                        | Date (month, day, year)     | Amount of Each Receipt this Period |
| David T. Aloe/Andrea L. Aloe<br>605 Academy Ave.<br>Sewickley, PA 15143   | Aloe Holdings                           | 8/11/92                     | 500.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Businessman                  | Aggregate Year-to-Date > \$ |                                    |

97043775339

SUBTOTAL of Receipts This Page (optional) .....

4,050

TOTAL This Period (last page this No. number only) .....

**SCHEDULE A**

**ITEMIZED RECEIPTS**

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

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

**NAME OF COMMITTEE (in Full)**

**Mascara Campaign Committee**

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year) | Amount of Each Receipt this Period |
|--|--|-------------------------|------------------------------------|
| Charles S. Pryor/Marianne Pryor<br>66 Emerald Dr.<br>Washington, PA 15301<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | P.J. Dick Trumbull Corporation<br>Occupation Vice President/Marketing<br>Aggregate Year-to-Date > \$               | 8/17/92                 | 500.00                             |
| B. Full Name, Mailing Address and ZIP Code<br>Donald E. Rea<br>625 Liberty Avenue<br>3100 CNG Tower<br>Pittsburgh, PA 15222<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):     | Name of Employer<br>Russell, Rea, Zappala, & Gomulka Holdings<br>Occupation Partner<br>Aggregate Year-to-Date > \$ | 9/3/92                  | 2,000.00                           |
| C. Full Name, Mailing Address and ZIP Code<br>Charles A. Gomulka<br>Suite 3100<br>625 Liberty Ave.<br>Pittsburgh, PA 15222<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):      | Name of Employer<br>Russell, Rea, Zappala & Gomulka Holdings<br>Occupation C.P.A.<br>Aggregate Year-to-Date > \$   | 9/3/92                  | 2,000.00                           |
| D. Full Name, Mailing Address and ZIP Code<br>C. Andrew Russell<br>3100 CNG Tower<br>625 Liberty Avenue<br>Pittsburgh, PA 15222<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br>RRZ&G Holdings<br>Occupation Investment Banker<br>Aggregate Year-to-Date > \$                  | 9/3/92                  | 1,000.00                           |
| E. Full Name, Mailing Address and ZIP Code<br>Darlaine Lynn Taylor<br>28 Circle Drive<br>Finleyville, PA 15332<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                  | Name of Employer<br>Occupation<br>Aggregate Year-to-Date > \$  | 9/14/92                 | 1,000.00                           |
| F. Full Name, Mailing Address and ZIP Code<br>Donn R. Taylor<br>5875 Brian Drive<br>Bethel Park, PA 15102<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                       | Name of Employer<br>Occupation<br>Aggregate Year-to-Date > \$  | 9/14/92                 | 1,000.00                           |
| G. Full Name, Mailing Address and ZIP Code<br>Mildred I. Recht<br>500 E. Bruceton Road<br>Apt. 208<br>Pittsburgh, PA 15236<br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):      | Name of Employer<br>Occupation<br>Aggregate Year-to-Date > \$  | 9/14/92                 | 500.00                             |

97043775340

SUBTOTAL of Receipts This Page (optional) .....

8,000

TOTAL This Period (last page this line number only) .....

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer   | Date (month, day, year)             | Amount of Each Receipt this Period             |
|--|--|-------------------------------------|--|
| C. William Hecht<br>132 Green Drive<br>Pittsburgh, PA 15236<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | Occupation<br><br>Aggregate Year-to-Date > \$  | 9/14/92                             | 500.00   |
| B. Full Name, Mailing Address and ZIP Code<br><br>Yvonne Hecht<br>132 Green Drive<br>Pittsburgh, PA 15236<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | Name of Employer<br><br>Occupation<br><br>Aggregate Year-to-Date > \$  | Date (month, day, year)<br>9/14/92  | Amount of Each Receipt this Period<br>500.00   |
| C. Full Name, Mailing Address and ZIP Code<br>Bernice K. Jenkins/Joseph H. Jenkins<br>R.D. #3<br>Roberts Hollow Rd., Box 89B<br>Elizabeth, PA 15037<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br>P.J. Dick-Trumbull Corp.<br><br>Occupation Safety EEO Officer<br><br>Aggregate Year-to-Date > \$ | Date (month, day, year)<br>9/14/92  | Amount of Each Receipt this Period<br>500.00   |
| D. Full Name, Mailing Address and ZIP Code<br><br>Stephen M. Clark<br>940 Holly Lynne Drive<br>Pittsburgh, PA 15236<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                                 | Name of Employer<br><br>Occupation Executive Vice President<br><br>Aggregate Year-to-Date > \$                       | Date (month, day, year)<br>9/14/92  | Amount of Each Receipt this Period<br>1,000.00 |
| E. Full Name, Mailing Address and ZIP Code<br><br>Lorraine Canestrals<br>P.O. Box 14<br>Monessen, PA 15062<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):  | Name of Employer<br><br>Occupation Homemaker<br><br>Aggregate Year-to-Date > \$                                      | Date (month, day, year)<br>10/1/92  | Amount of Each Receipt this Period<br>700.00   |
| F. Full Name, Mailing Address and ZIP Code<br><br>Clifford R. Rowe, Jr.<br>2119 Blairmont Dr.<br>Pittsburgh, PA 15241<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                               | Name of Employer<br>P.J. Dick Corp.<br><br>Occupation Company President<br><br>Aggregate Year-to-Date > \$           | Date (month, day, year)<br>12/23/92 | Amount of Each Receipt this Period<br>1,000.00 |
| G. Full Name, Mailing Address and ZIP Code<br>George Leasure<br>3 Glass St.<br>Pittsburgh, PA 15106<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):   | Name of Employer<br><br>Occupation<br><br>Aggregate Year-to-Date > \$  | Date (month, day, year)<br>2/11/93  | Amount of Each Receipt this Period<br>250.00   |

9704377531

|   |       |
|---|-------|
| SUBTOTAL of Receipts This Page (optional) .....           | 4,450 |
| TOTAL This Period (last page this line number only) ..... | ..... |

SCHEDULE A

ITEMIZED RECEIPTS

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

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

| A. Full Name, Mailing Address and ZIP Code  | Name of Employer            | Date (month, day, year) | Amount of Each Receipt this Period |
|---|-----------------------------|-------------------------|------------------------------------|
| Robert Hecht<br>1743 Hastings Mill Road<br>Upper St. Clair, PA 15241  |                             | 2/11/93                 | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                  |                         |                                    |
|   | Aggregate Year-to-Date > \$ |                         |                                    |
| B. Full Name, Mailing Address and ZIP Code  | Name of Employer            | Date (month, day, year) | Amount of Each Receipt this Period |
| William R. Duffy<br>R.D. #1, Church Road<br>Trombell, PA 16123  |                             | 2/11/93                 | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                  |                         |                                    |
|   | Aggregate Year-to-Date > \$ |                         |                                    |
| C. Full Name, Mailing Address and ZIP Code  | Name of Employer            | Date (month, day, year) | Amount of Each Receipt this Period |
| John Oster<br>319 Broad Street<br>Butler, PA 16001  |                             | 2/11/93                 | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                  |                         |                                    |
|   | Aggregate Year-to-Date > \$ |                         |                                    |
| D. Full Name, Mailing Address and ZIP Code  | Name of Employer            | Date (month, day, year) | Amount of Each Receipt this Period |
| Mark Scalise<br>116 Lampliter Lane<br>McMurray, PA 15317  |                             | 2/11/93                 | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                  |                         |                                    |
|   | Aggregate Year-to-Date > \$ |                         |                                    |
| E. Full Name, Mailing Address and ZIP Code  | Name of Employer            | Date (month, day, year) | Amount of Each Receipt this Period |
| Robert Patterson<br>Box 528<br>Monongahela, PA 15063  |                             | 2/11/93                 | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                  |                         |                                    |
|   | Aggregate Year-to-Date > \$ |                         |                                    |
| F. Full Name, Mailing Address and ZIP Code  | Name of Employer            | Date (month, day, year) | Amount of Each Receipt this Period |
| Herbert J. Brankley<br>420 One Chatham Center<br>Pittsburgh, PA 15219   |                             | 2/11/93                 | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                  |                         |                                    |
|   | Aggregate Year-to-Date > \$ |                         |                                    |
| G. Full Name, Mailing Address and ZIP Code  | Name of Employer            | Date (month, day, year) | Amount of Each Receipt this Period |
| Edwin Assid<br>274 Gateshead Dr.<br>McMurray, PA 15317  |                             | 2/11/93                 | 1,000.00                           |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                  |                         |                                    |
|   | Aggregate Year-to-Date > \$ |                         |                                    |

|   |       |
|---|-------|
| SUBTOTAL of Receipts This Page (optional) .....           | 2,500 |
| TOTAL This Period (last page this line number only) ..... |       |

97043775342

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

|   |  |                                    |  |
|---|--|------------------------------------|--|
| <b>A. Full Name, Mailing Address and ZIP Code</b><br>Jack B. Piatt II<br>P.O. Box 587 Manifold Rd.<br>Washington, PA 15301<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Name of Employer<br><b>Millcraft Products</b>  | Date (month, day, year)<br>2/11/93 | Amount of Each Receipt this Period<br><br>500.00   |
|   | Occupation <b>Businessman/President</b><br>Aggregate Year-to-Date > 8                            |                                    |  |
| <b>B. Full Name, Mailing Address and ZIP Code</b><br>Richard Barcelona<br>P.O. Box 756<br>Washington, PA 15301<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):             | Name of Employer<br><b>Bailey Engineers</b>  | Date (month, day, year)<br>2/11/93 | Amount of Each Receipt this Period<br><br>500.00   |
|   | Occupation<br>Aggregate Year-to-Date > 8   |                                    |  |
| <b>C. Full Name, Mailing Address and ZIP Code</b><br>Jack B. Piatt<br>90 West Chestnut<br>Washington, PA 15301<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):             | Name of Employer<br><b>Millcraft Industries</b>  | Date (month, day, year)<br>2/12/93 | Amount of Each Receipt this Period<br><br>1,000.00 |
|   | Occupation <b>Self-employed Businessman</b><br>Aggregate Year-to-Date > 8                        |                                    |  |
| <b>D. Full Name, Mailing Address and ZIP Code</b><br>Peter C. Rossin<br>621 Trotwood Circle<br>Pittsburgh, PA 15241<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):        | Name of Employer<br><b>Dynamet, Inc.</b>   | Date (month, day, year)<br>2/12/93 | Amount of Each Receipt this Period<br><br>500.00   |
|   | Occupation <b>President</b><br>Aggregate Year-to-Date > 8  |                                    |  |
| <b>E. Full Name, Mailing Address and ZIP Code</b><br>Rod L. Piatt<br>P.O. Box 618<br>Meadow Lands, PA 15347<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                | Name of Employer<br><b>Millcraft Industries</b>  | Date (month, day, year)<br>2/12/93 | Amount of Each Receipt this Period<br><br>500.00   |
|   | Occupation <b>Vice President of Administration</b><br>Aggregate Year-to-Date > 8                 |                                    |  |
| <b>F. Full Name, Mailing Address and ZIP Code</b><br>Charles R. Zappala<br>91 Woodland Dr.<br>Pittsburgh, PA 15228-2144<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):    | Name of Employer<br><b>RRZ&amp;G Holdings</b>  | Date (month, day, year)<br>3/1/93  | Amount of Each Receipt this Period<br><br>500.00   |
|   | Occupation <b>Chairman</b><br>Aggregate Year-to-Date > 8   |                                    |  |
| <b>G. Full Name, Mailing Address and ZIP Code</b><br>K.H. Fraelich<br>1255 Catalina Drive<br>Monroeville, PA 15146<br><br>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):         | Name of Employer<br><b>Westinghouse Systems</b>  | Date (month, day, year)<br>3/24/93 | Amount of Each Receipt this Period<br><br>500.00   |
|   | Occupation <b>Exec. VP Marketing &amp; Strategic Business Dev.</b><br>Aggregate Year-to-Date > 8 |                                    |  |

97043775343

|  |       |
|--|-------|
| <b>SUBTOTAL of Receipts This Page (optional)</b> .....           | 4,000 |
| <b>TOTAL This Period (last page this line number only)</b> ..... |       |

SCHEDULE A

ITEMIZED RECEIPTS

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

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

| A. Full Name, Mailing Address and ZIP Code  | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
|---|------------------|-------------------------|------------------------------------|
| Maria Yost<br>2908 Highridge Dr.<br>Pittsburgh, PA 15226  |                  | 10/27/93                | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       |                         | Aggregate Year-to-Date > \$        |
| B. Full Name, Mailing Address and ZIP Code  | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| K.H. Fraelich<br>1255 Catalina Dr.<br>Monroeville, PA 15146   |                  | 10/27/93                | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       |                         | Aggregate Year-to-Date > \$        |
| C. Full Name, Mailing Address and ZIP Code  | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Pepper Hamilton & Scheetz, Attys. at Law<br>300 Two Logan Square<br>Philadelphia, PA 19103                                  |                  | 10/27/93                | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       |                         | Aggregate Year-to-Date > \$        |
| D. Full Name, Mailing Address and ZIP Code  | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Dennis Slagle<br>R.D. #1, Box 91A<br>Fredericktown, PA 15333  |                  | 10/27/93                | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       |                         | Aggregate Year-to-Date > \$        |
| E. Full Name, Mailing Address and ZIP Code  | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Gary Sweat<br>1221 Gabby Avenue<br>Washington, PA 15301   |                  | 10/27/93                | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       |                         | Aggregate Year-to-Date > \$        |
| F. Full Name, Mailing Address and ZIP Code  | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| Donna Staisey<br>639 Woodcrest Dr.<br>Pittsburgh, PA 15205  |                  | 10/27/93                | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       |                         | Aggregate Year-to-Date > \$        |
| G. Full Name, Mailing Address and ZIP Code  | Name of Employer | Date (month, day, year) | Amount of Each Receipt this Period |
| George Staisey<br>639 Woodcrest Dr.<br>Pittsburgh, PA 15205   |                  | 10/27/93                | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation       |                         | Aggregate Year-to-Date > \$        |

97043775344

|   |       |
|---|-------|
| SUBTOTAL of Receipts: This Page (optional) .....          | 1,750 |
| TOTAL This Period (last page this line number only) ..... |       |

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

NAME OF COMMITTEE (in Full)  
Mascara Campaign Committee

| A. Full Name, Mailing Address and ZIP Code  | Name of Employer                     | Date (month, day, year)     | Amount of Each Receipt this Period |
|---|--------------------------------------|-----------------------------|------------------------------------|
| Kevin Passarella<br>1046 E. Beau<br>Washington, PA 15301  |                                      | 10/27/93                    | 250.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation                           | Aggregate Year-to-Date > \$ |                                    |
| B. Full Name, Mailing Address and ZIP Code  | Name of Employer                     | Date (month, day, year)     | Amount of Each Receipt this Period |
| William Busnahan<br>116 Crofton Dr.<br>Pittsburgh, PA 15238   | William Busnahan,<br>Attorney at Law | 10/27/93                    | 500.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Self-employed attorney    | Aggregate Year-to-Date > \$ |                                    |
| C. Full Name, Mailing Address and ZIP Code  | Name of Employer                     | Date (month, day, year)     | Amount of Each Receipt this Period |
| Samuel P. Kamin<br>1408 Law & Finance Bldg.<br>429 Fourth Ave.<br>Pittsburgh, PA 15219                                      | Goldberg & Kamin                     | 10/27/93                    | 500.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Attorney/Partner          | Aggregate Year-to-Date > \$ |                                    |
| D. Full Name, Mailing Address and ZIP Code  | Name of Employer                     | Date (month, day, year)     | Amount of Each Receipt this Period |
| Melvin B. Bassi<br>801 Lawrence St.<br>Monongahela, PA 15063  | Self-employed                        | 10/28/93                    | 500.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Attorney                  | Aggregate Year-to-Date > \$ |                                    |
| E. Full Name, Mailing Address and ZIP Code  | Name of Employer                     | Date (month, day, year)     | Amount of Each Receipt this Period |
| John Cambest<br>1001 Ardmore Blvd.<br>Pittsburgh, PA 15221  | Dodaro, Kennedy & Cambest            | 10/29/93                    | 500.00                             |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Attorney at law           | Aggregate Year-to-Date > \$ |                                    |
| F. Full Name, Mailing Address and ZIP Code  | Name of Employer                     | Date (month, day, year)     | Amount of Each Receipt this Period |
| Lorraine Canestrone<br>P.O. Box 14<br>Monessen, PA 15062  |                                      | 11/23/93                    | 1,000.00                           |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Homemaker                 | Aggregate Year-to-Date > \$ |                                    |
| G. Full Name, Mailing Address and ZIP Code  | Name of Employer                     | Date (month, day, year)     | Amount of Each Receipt this Period |
| F. Brian Dodson<br>103 Staffordshire Place<br>Pittsburgh, PA 15238  | Self-employed                        | 11/5/93                     | 1,250.00                           |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation Attorney-at-law           | Aggregate Year-to-Date > \$ |                                    |

|   |       |
|---|-------|
| SUBTOTAL of Receipts This Page (optional)           | 4,500 |
| TOTAL This Period (last page this line number only) |       |

97043775315



**SCHEDULE A**

**ITEMIZED RECEIPTS**

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

9 | 10  
FOR LINE NUMBER  
1181

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

**NAME OF COMMITTEE (In Full)**

**Mascara Campaign Committee**

| A. Full Name, Mailing Address and ZIP Code  | Name of Employer   | Date (month, day, year)             | Amount of Each Receipt this Period             |
|---|--|-------------------------------------|--|
| David T. Aloe<br>605 Academy Ave.<br>Sewickley, PA 15143  | Aloe Holdings  | 11/5/93                             | 417.00   |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Occupation<br><b>Businessman</b><br>Aggregate Year-to-Date > 8     |                                     |  |
| B. Full Name, Mailing Address and ZIP Code<br>John P. Aloe<br>c/o Aloe Holdings<br>One Oxford Center, 301 Grant St.<br>Pittsburgh, PA 15219 | Name of Employer   | Date (month, day, year)<br>11/5/93  | Amount of Each Receipt this Period<br>1,250.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Occupation<br><b>Retired</b><br>Aggregate Year-to-Date > 8         |                                     |  |
| C. Full Name, Mailing Address and ZIP Code<br>Pamela Zappala<br>91 Woodland Dr.<br>Pittsburgh, PA 15228                                     | Name of Employer   | Date (month, day, year)<br>11/17/93 | Amount of Each Receipt this Period<br>1,000.00 |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Occupation<br><b>Homemaker</b><br>Aggregate Year-to-Date > 8       |                                     |  |
| D. Full Name, Mailing Address and ZIP Code<br>F.R. Mascara<br>831 Lincoln Ave.<br>Charleroi, PA 15022                                       | Name of Employer<br>Washington County                              | Date (month, day, year)<br>8/5/93   | Amount of Each Receipt this Period<br>500.00   |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Occupation<br><b>Commissioner</b><br>Aggregate Year-to-Date > 8    |                                     |  |
| E. Full Name, Mailing Address and ZIP Code<br>Richard A. Barcelona<br>P.O. Box 756<br>Washington, PA 15301                                  | Name of Employer<br>Bailey Engineers, Inc.                         | Date (month, day, year)<br>10/5/93  | Amount of Each Receipt this Period<br>500.00   |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Occupation<br><b>Chairman C.E.O.</b><br>Aggregate Year-to-Date > 8 |                                     |  |
| F. Full Name, Mailing Address and ZIP Code<br>Richard P. Shaw<br>150 Wilson Ave.<br>Beaver, PA 15009  | Name of Employer<br>Michael Baker Corporation                      | Date (month, day, year)<br>10/13/93 | Amount of Each Receipt this Period<br>500.00   |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Occupation<br><b>President</b><br>Aggregate Year-to-Date > 8       |                                     |  |
| G. Full Name, Mailing Address and ZIP Code<br>George Davidson, Jr.<br>108 Spenser Lane<br>Sewickley, PA 15143                               | Name of Employer<br>Consolidated Natural Gas                       | Date (month, day, year)<br>10/20/93 | Amount of Each Receipt this Period<br>500.00   |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):                 | Occupation<br><b>C.E.O.</b><br>Aggregate Year-to-Date > 8          |                                     |  |

|   |       |
|---|-------|
| SUBTOTAL of Receipts This Page (optional) .....           | 4,667 |
| TOTAL This Period (last page this line number only) ..... |       |

97043775346

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

|  |  |   |  |
|--|--|---|--|
| <p><b>A. Full Name, Mailing Address and ZIP Code</b><br/>Francis J. Colella<br/>1511 Asklowry Lane<br/>Pittsburgh, PA 15237-6637</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br/><input type="checkbox"/> Other (specify):</p>   | <p>Name of Employer<br/>Lindy Paving Inc.</p> <p>Occupation<br/>President</p> <p>Aggregate Year-to-Date &gt; \$</p>                  | <p>Date (month, day, year)<br/>10/25/93</p> | <p>Amount of Each Receipt this Period<br/>500.00</p> |
| <p><b>B. Full Name, Mailing Address and ZIP Code</b><br/>Jack B. Piatt II<br/>P.O. Box 587, Manifold Road<br/>Washington, PA 15301</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br/><input type="checkbox"/> Other (specify):</p> | <p>Name of Employer<br/>Milicraft Industries</p> <p>Occupation: Businessman/<br/>President</p> <p>Aggregate Year-to-Date &gt; \$</p> | <p>Date (month, day, year)<br/>10/25/93</p> | <p>Amount of Each Receipt this Period<br/>500.00</p> |
| <p><b>C. Full Name, Mailing Address and ZIP Code</b></p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br/><input type="checkbox"/> Other (specify):</p>   | <p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date &gt; \$</p>  | <p>Date (month, day, year)</p>              | <p>Amount of Each Receipt this Period</p>            |
| <p><b>D. Full Name, Mailing Address and ZIP Code</b></p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br/><input type="checkbox"/> Other (specify):</p>   | <p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date &gt; \$</p>  | <p>Date (month, day, year)</p>              | <p>Amount of Each Receipt this Period</p>            |
| <p><b>E. Full Name, Mailing Address and ZIP Code</b></p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br/><input type="checkbox"/> Other (specify):</p>   | <p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date &gt; \$</p>  | <p>Date (month, day, year)</p>              | <p>Amount of Each Receipt this Period</p>            |
| <p><b>F. Full Name, Mailing Address and ZIP Code</b></p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br/><input type="checkbox"/> Other (specify):</p>   | <p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date &gt; \$</p>  | <p>Date (month, day, year)</p>              | <p>Amount of Each Receipt this Period</p>            |
| <p><b>G. Full Name, Mailing Address and ZIP Code</b></p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br/><input type="checkbox"/> Other (specify):</p>   | <p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date &gt; \$</p>  | <p>Date (month, day, year)</p>              | <p>Amount of Each Receipt this Period</p>            |

|  |               |
|--|---------------|
| <p>SUBTOTAL of Receipts This Page (optional) .....</p>           | <p>1,000</p>  |
| <p>TOTAL This Period (last page this line number only) .....</p> | <p>40,917</p> |

97043775317

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

97043775318

| A. Full Name, Mailing Address and ZIP Code                        | Purpose of Disbursement  | Date (month, day, year) | Amount of Each Disbursement This Period |
|---|--|-------------------------|---|
| Mascara for Congress<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Transfer<br>Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) | 4/16/92                 | 40,000                                  |
| Mascara for Congress<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Transfer<br>Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) | 6/11/92                 | 2,500                                   |
| Mascara for Congress<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Transfer<br>Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) | 8/11/92                 | 3,000                                   |
| Mascara for Congress<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Transfer<br>Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) | 8/14/92                 | 1,000                                   |
| Mascara for Congress<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Transfer<br>Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) | 9/9/92                  | 3,000                                   |
| Mascara for Congress<br>831 Lincoln Avenue<br>Charleroi, PA 15022 | Transfer<br>Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify) | 5/5/93                  | 3,000                                   |
|   | Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify)                        |                         |   |
|   | Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify)                        |                         |   |
|   | Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify)                        |                         |   |

|   |        |
|---|--------|
| SUBTOTAL of Disbursements This Page (optional) .....      | 52,500 |
| TOTAL This Period (last page this line number only) ..... | 52,500 |

SCHEDULE A

ITEMIZED RECEIPTS

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

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

NAME OF COMMITTEE (in Full)

Mascara Campaign Committee

| A. Full Name, Mailing Address and ZIP Code   | Name of Employer    | Date (month, day, year)     | Amount of Each Receipt this Period |
|--|---------------------|-----------------------------|------------------------------------|
| Frank R. Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022  | loan from candidate | 4/16/92                     | 40,000                             |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation          | Aggregate Year-to-Date > \$ |                                    |
| B. Full Name, Mailing Address and ZIP Code   | Name of Employer    | Date (month, day, year)     | Amount of Each Receipt this Period |
| Frank R. Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022  | loan from candidate | 6/11/92                     | 2,500                              |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation          | Aggregate Year-to-Date > \$ |                                    |
| C. Full Name, Mailing Address and ZIP Code   | Name of Employer    | Date (month, day, year)     | Amount of Each Receipt this Period |
| Frank R. Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022  | loan from candidate | 8/11/92                     | 3,000                              |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation          | Aggregate Year-to-Date > \$ |                                    |
| D. Full Name, Mailing Address and ZIP Code   | Name of Employer    | Date (month, day, year)     | Amount of Each Receipt this Period |
| Frank R. Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022  | loan from candidate | 8/14/92                     | 1,000                              |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation          | Aggregate Year-to-Date > \$ |                                    |
| E. Full Name, Mailing Address and ZIP Code   | Name of Employer    | Date (month, day, year)     | Amount of Each Receipt this Period |
| Frank R. Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022  | loan from candidate | 9/9/92                      | 3,000                              |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation          | Aggregate Year-to-Date > \$ |                                    |
| F. Full Name, Mailing Address and ZIP Code   | Name of Employer    | Date (month, day, year)     | Amount of Each Receipt this Period |
| Frank R. Mascara<br>831 Lincoln Avenue<br>Charleroi, PA 15022  | loan from candidate | 5/5/93                      | 3,000                              |
| Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify): | Occupation          | Aggregate Year-to-Date > \$ |                                    |
| G. Full Name, Mailing Address and ZIP Code   | Name of Employer    | Date (month, day, year)     | Amount of Each Receipt this Period |
|  |                     |                             |                                    |
| Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General<br><input type="checkbox"/> Other (specify):            | Occupation          | Aggregate Year-to-Date > \$ |                                    |

|   |        |
|---|--------|
| SUBTOTAL of Receipts This Page (optional) .....           | 52,500 |
| TOTAL This Period (last page this line number only) ..... | 52,500 |

9704375349



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Date: 3/14/97

           Microfilm

           Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED RMR 4194

97043780594



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 11, 1997

MAR 12 12 00 PM '97

FEDERAL ELECTION COMMISSION OFFICE OF GENERAL COUNSEL

**TWO WAY MEMORANDUM**

TO: OGC Docket  
FROM: Leslie D. Brown *LB*  
Disbursing Technician  
SUBJECT: Account Determination for Funds Received

We recently received a check from **Mascara for Congress**, check number **001**, dated **March 3, 1997**, for the amount of **\$40,000.00**. 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                      Leslie D. Brown  
Accounting Technician                  Disbursing Technician

FROM: OGC Docket

SUBJECT: Disposition of Funds Received

In reference to the above check in the amount of \$ 40,000.00, the MUR/Case number is 4194 and in the name of Mascara Congress. Place this deposit in the account indicated below:

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

Retha L. Nijon  
Signature

3/13/97  
Date

97043780595

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: 202 628-6600 · FACSIMILE: 202 434-1690

March 7, 1997

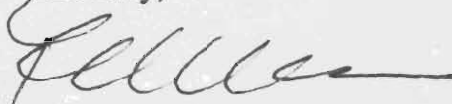
Abigail A. Shaine, Esq.  
Office of the General Counsel  
Federal Elections Commission  
999 E Street, NW  
Washington, DC 20463

Re: MUR 4194

Dear Ms. Shaine:

Enclosed you will find the Committee's final payment in the amount of \$40,000 which, under the terms of the Conciliation Agreement in this matter, is due March 8, 1997.

Sincerely,



B. Holly Schadler

BHS:ksn

MAR 12 12 00 PM '97

FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

97043780596

[23607-0001/DA970660.010]

NAME MASCARA FOR CONGRESS

001

ACCOUNT NO. DEBT REDUCTION ACCOUNT

DATE 3-3-97

60-7317/2433

PAY TO THE ORDER OF Federal Election Commission

\$ 40,000.00

Forty thousand and 00/100

DOLLARS

 **Charleroi Federal**  
SAVINGS BANK  
CHARLEROI, PA 15022

MEMO Payment to FEC

*Frank Mascara*

⑆243373170⑆5 012912051⑆

97043780527





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Date: 5/19/67

Microfilm

Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 4194

97043805101

CONFIDENTIAL

PRIVILEGED

PERKINS COIE - WASHINGTON, D.C.  
FAX NUMBER: (202) 434-1690

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL:  
(202) 628-6600

ADDRESSEE Federal Election Commission Fax No. 219-3923  
(COMPANY)

Abigail A. Shalve, Esq. Direct Dial 219-3690  
(INDIVIDUAL)

FROM B. Holly Schadler Date April 18, 1997

Pages (Including Cover Sheet) 2 Client Number 23607-0001

Return to Donna M. Loveschia / 4454 / 8  
NAME EXT. OFFICE LOCATION

MESSAGE:

MUR 4194

CLOSED

Sent By \_\_\_\_\_

This Fax contains confidential, privileged information intended only for the addressee. Do not read, copy or disseminate it unless you are the addressee. If you have received this Fax in error, please call us (collect) immediately at (202) 628-6600, and mail the original Fax to Perkins Coie, 607 Fourteenth St., N.W., Washington, D.C. 20005-2011.

[FAXCOVER.01]

97043605102

# PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011  
TELEPHONE: 202 678-6500 · FACSIMILE: 202 434-1696

April 18, 1997

Abigail A. Shaine, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W. - 6th Floor  
Washington, D.C. 20463

APR 18 5 27 PM '97

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL


Re: Mascara Campaign Committee MUR 4194

Dear Ms. Shaine:

This letter confirms our conversation today regarding the request for additional information received by Mascara Campaign Committee dated April 8, 1997. It is my understanding that this request is being withdrawn from the public record and that the Committee is not required to file a response.

Thank you for looking into this matter.

Sincerely,



B. Holly Schadler  
Counsel to Mascara Campaign Committee

BHS:bhs

[09901-0001/DA971090.029]

97043805103