

Statement by Representative Harry Comer, Vice Chairman, House Select Committee
on State Contract Practices

RELEASE: 10:30 A.M.

October 3, 1974

Today we have sent a letter to the Attorney General of the United States, the Director of the Federal Bureau of Investigation, the U. S. Attorney for the Middle District of Pennsylvania, and the Chief Judge of the Federal District Court in Western Pennsylvania asking them to investigate possible violations of Federal law by Stephen Freind, Special Counsel to the Majority of the House Select Committee on State Contract Practices, and by Otis Littleton, Executive Director of the House Select Committee on the Revision of the Insurance Laws.

At the same time, we have sent letters to the chairmen of these select committees, Representatives Gleason and Harrier, asking them to suspend these two individuals pending the outcome of the investigations.

We do not want to impede any legitimate work of these committees, nor do we believe that the requests we made today, if honored by the two chairmen, would impede their work. We note that majority members of the House Committee on State Contract Practices, for example, will still have available to them two special counsel and about 50 other staff members, many of them competent attorneys.

However, we believe that we have established a prima facie case that Mr. Freind and Mr. Littleton may be guilty of breaking Federal laws carrying penalties ranging from a \$1,000 fine and one year in prison to a \$10,000 fine and 10 years in prison.

Specifically, we have submitted to the Attorney General and the Director of the FBI a copy of two FBI reports that Mr. Freind obtained either from the U. S. Attorney's Office in Pittsburgh or from a special agent of the FBI in violation of Federal laws against unauthorized disclosure. As a former FBI agent, Mr. Freind must be keenly aware of these laws.

We also have submitted to these authorities information that Mr. Littleton admitted he photostated from Federal grand jury files in Pittsburgh. Mr. Littleton's wrongdoing is compounded by the fact that he disclosed this information to the press.

While these two individual offenses, if proven, are serious matters for Mr. Freind and Mr. Littleton, they present the spectre of an even more serious conspiracy involving the gross abuse of Federal power to serve the political purposes of the Republican party in Pennsylvania.

Federal laws governing the secrecy of FBI reports and grand jury files are intended to safeguard individual rights against the awesome powers of the Federal government. They also are intended to insure that future prosecutions are not jeopardized by such unauthorized disclosures.

Along with Mr. Freind and Mr. Littleton we have asked the appropriate Federal authorities to investigate possible violations of law by Mr. Samuel Orr, an assistant to Mr. Richard Thornburgh, U. S. Attorney for the Western District of Pennsylvania, and Mr. Kim Kelly, a special agent of the FBI.

Noting that Mr. Freind, Mr. Thornburgh, and Mr. Orr are lawyers, we have sent copies of our letters to the Disciplinary Board of the Pennsylvania State Supreme Court for investigations leading to possible disbarment.

We believe corruption or misconduct on the part of an individual public official is a serious matter, and should be exposed, but we also are gravely concerned about the gross abuse of governmental powers for political purposes. Such an offense is more difficult to detect but it poses the most serious threat to the individual freedoms on which the American society is founded.

STATEMENT BY REPRESENTATIVE HARRY COMER

MR. CHAIRMAN, I WOULD LIKE TO TAKE THIS OPPORTUNITY TO MAKE SOME BRIEF REMARKS. AS YOU AND MY OTHER COLLEAGUES ON THIS COMMITTEE KNOW, I WILL BE RETIRING FROM THE HOUSE OF REPRESENTATIVES AT THE END OF THIS TERM AFTER 22 YEARS OF SERVICE.

LIKE OTHER INSTITUTIONS, THE PENNSYLVANIA HOUSE OF REPRESENTATIVES HAS ITS STRENGTHS AND WEAKNESSES, ITS UPS AND DOWNS, ITS GOOD MOMENTS AND ITS BAD. BUT OVER THE YEARS, I HAVE DEVELOPED A DEEP RESPECT -- AND EVEN AN ABIDING LOVE -- FOR THE LEGISLATIVE PROCESS IN GENERAL AND FOR THIS LEGISLATIVE BODY IN PARTICULAR.

I HAVE A SIMILAR AFFECTION AND RESPECT FOR THE COMMITTEE SYSTEM, WHICH IS AN INTEGRAL PART OF THIS BODY. DURING MY YEARS IN THE HOUSE, I HAVE CHAIRED MANY, MANY COMMITTEES -- INCLUDING A COMMITTEE THAT HELD STATEWIDE HEARINGS ON THE CONTROVERSIAL ISSUE OF REINSTITUTION OF THE DEATH PENALTY, A COMMITTEE THAT HAD INVESTIGATORY POWER TO LOOK INTO VOTING IRREGULARITIES, AND A COMMITTEE THAT DEALT WITH THE SENSITIVE POLITICAL ISSUE OF REAPPORTIONMENT.

I HAVE ALWAYS RUN THOSE COMMITTEES ON A BIPARTISAN BASIS. I HAVE ALWAYS BEEN CONSIDERATE OF THE RIGHTS OF THE MINORITY MEMBERS. I HAVE ALWAYS REQUIRED COMMITTEE STAFF TO SHOW PROPER RESPECT FOR THE ELECTED MEMBERS REGARDLESS OF PARTY.

I HAVE ALWAYS INSISTED, ABOVE ALL ELSE, THAT THE COMMITTEE'S
POWER NOT BE USED TO ABUSE THE RIGHTS OF INDIVIDUAL CITIZENS
APPEARING BEFORE IT.

SERVING ON THIS COMMITTEE, I HAVE FELT THAT YOU,
AS CHAIRMAN OF THE COMMITTEE, HAVE ALLOWED THE MAJORITY COUNSEL
TO BE ABRASIVE, AND DISRESPECTFUL TOWARD MEMBERS AND
WITNESSES ALIKE, THAT THE COMMITTEE'S LEGITIMATE POWERS AS AN
ARM OF THE HOUSE HAVE BEEN ABUSED FOR POLITICAL PURPOSES, AND
THAT ITS CONDUCT WILL BE FOREVER A BLOT ON THE RECORD OF THIS
HOUSE.

MR. CHAIRMAN, IN PLAIN WORDS, THIS COMMITTEE'S WORK
HAS AMOUNTED TO A POLITICAL WITCHHUNT.

AS A LONG-TERM MEMBER OF THIS HOUSE, I CANNOT HELP BUT RECALL THAT IN THE FALL OF 1966, THE REPUBLICAN PARTY TOOK MILTON J. SHAPP, THEN THE DEMOCRATIC CANDIDATE FOR GOVERNOR, INTO COURT, TYING UP HIS RECORDS, HIS RESOURCES, AND HIS STAFF AT A CRITICAL MOMENT IN THE CAMPAIGN.

THIS COMMITTEE HAS BEEN USING ITS POWERS TO HARRASS MILTON SHAPP FOR THE LAST SEVERAL MONTHS. IT HAS SERVED HIM OR HIS STAFF WITH MORE THAN 50 SUBPOENAS. JUST WEDNESDAY NIGHT, THE REPUBLICAN MEMBERS OF THIS COMMITTEE VOTED TO SERVE MORE SUBPOENAS, NOT ONLY ON THE GOVERNOR AND HIS WIFE, BUT ON HIS PRESENT CAMPAIGN CHAIRMAN, HIS PRESENT CAMPAIGN MANAGER,

HIS PRESENT CAMPAIGN TREASURER, HIS TOP ADVISORS, AND
MEMBERS OF HIS CABINET.

MR. CHAIRMAN, OUR POLITICAL PROCESS, AS WELL AS THE
LEGISLATIVE PROCESS, IS BASED ON FAIRNESS. ABOVE ALL ELSE,
THE PEOPLE HAVE INSISTED ON FAIRNESS FROM THOSE IN PUBLIC LIFE
AND THEY HAVE EXPRESSED THEIR DISAPPROVAL OF THOSE WHO DEVIATE
FROM THIS PRINCIPLE. SHOULD YOU FAIL TO SHOW BASIC FAIRNESS
TO THE GOVERNOR OF THIS COMMONWEALTH, YOU WILL BEAR THE BURDEN
OF THAT DISAPPROVAL.

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