

Pennsylvania Democratic State Committee

510 North Third Street • Harrisburg, Pennsylvania 17101 • (717) 238-9381

CHAIRMAN'S OFFICE

September 5, 1974

Honorable Patrick A. Gleason
Chairman, Select Committee on
State Contract Practices
Room B-10, Main Capitol
Harrisburg, Pennsylvania 17120

Dear Chairman Gleason:

This is in reply to your letters of August 14 and 20, 1974.

If the Republican majority on your Committee reports to the full House next week a contempt citation against me, your action will be a grave injustice in total disregard of the facts.

While you pursue this course, your own investigators are in my office discussing matters before your Committee.

While you attempt to picture me as uncooperative, you know that all of the financial records of the Democratic State Committee are available, at this office, for your inspection. Yet, a month has gone by and you have not availed yourself of the opportunity.

While you charge that I walked out of your meeting, you know, and the record will show, that you dismissed me.

While you say that I have refused to comply with your subpoena for financial records, you know that I have given you everything which, in my judgment, you need and House Resolution 98 Warrants.

And, because I have chosen to exercise my legal rights to have the Courts decide whether my position is correct, you have chosen to disregard my right of judicial review, in an arbitrary, political and baseless charge of contempt.

You have taken my efforts to cooperate and chosen to distort them into the appearance of non-cooperation, when you know that the record is precisely the opposite of what you are attempting to paint.

DENNIS E. (HARVEY) THIEMANN, *Chairman* C. DELORES TUCKER, *Vice-Chairman* MARTIN L. MURRAY, *Secretary* WILLIAM R. CASPER, *Treasurer*
THOMAS R. BALABAN, *General Counsel*

MEMBERS, DEMOCRATIC NATIONAL COMMITTEE

Barbara L. Altemus
Peter J. Camiel
Michael Johnson

Robert H. (Pop) Jones
Ann R. Jordan
Rita Wilson Kane
James R. Kelley

George X. Schwartz
Dennis E. (Harvey) Thiemann
C. DeLores Tucker



September 5, 1974

To show our consistent effort on these matters, I submit the following for your consideration:

In full reliance upon my Counsel who read the resolution and the subpoena, I submitted to your Committee in excess of 40 pages of names of individuals who to the best of my knowledge, information and belief, may have had any possible relationship with state contracts within the context of the House resolution. You as Chairman have rejected the submission as not being in compliance with the subpoena, and thereafter issued a subpoena ad testificandum. At that time, my Counsel was directed and did file a petition before the Commonwealth Court of Pennsylvania seeking to have both subpoenas set aside for various legal reasons stated therein. Immediately you wrote me under letter dated July 23, 1974 inviting me to attend a meeting of your Select Committee indicating that the portion of the Committee's meeting surrounding my appearance would be open to the public. When I appeared at said meeting with my Counsel, you directed that I be sworn so that testimony may be taken, at which time my Counsel advised you I was not there for the purpose of giving testimony but was merely responding to the invitation to be present. You refused to permit me to read a statement, whereupon my Counsel undertook and did read said statement after asking your leave and being granted same we excused ourselves. It was following this incident that the Republican Majority of your Committee voted to recommend I be held in contempt of the Committee.

I respectfully point out to you: (1) Had questions been asked of me as outlined in your letter of invitation of July 23, 1974, at the meeting of July 24, 1974, I would have been pleased to respond to the same and for that matter, I am still available for said questioning as long as such would not involve the matters now properly before the Commonwealth Court; and (2) fully aware that I had sought to obtain a judicial opinion concerning the power of your Committee to issue the subpoenas in question, a procedure applied by others similarly served, the Republican Majority of your Committee recommended that I be held in contempt without awaiting a final determination of the judicial proceedings, whereas, the same members elected to extend to all others similarly situated the courtesy of awaiting said judicial decision.

Thereafter, certain items appeared in the newspapers which suggested that your Committee had taken a different posture and stance concerning the material requested by the various subpoenas issued by it. Until I wrote you on August 14, 1974, seeking to ascertain the true picture concerning this matter based upon the newspaper articles, I had not had the courtesy of receiving the statement that you then sent me bearing date of August 12, 1974.

Said statement clearly states:

"The Chair is willing, as is the Committee, to extend an opportunity to individuals or organizations who have been the subject of a subpoena duces tecum from the Committee, to appear before it to explain either the terms of their compliance or the reasons for their noncompliance. The Chair is, in addition, willing to entertain explanations from such subpoenaed parties concerning any efforts that may have been made to edit information demanded by the subpoenas. If such editing was a part of an attempt by the subpoenaed parties to provide information concerning contributors who have contracts with the State, then the Chair, through Special Counsel to the Committee, will wish to question assertions made by the subpoenaed parties as to the manner in which they have edited the subpoenaed materials, the guidelines that have been used, and the information at their disposal on which they may have based their editing decisions."

Your letter of August 20 states that you are in receipt of no communication from me or my Counsel indicating that the subpoenaed materials have been or will be turned over to the Committee now or at any time in the future. This statement seems to be in direct contradiction to the release you made under August 12, the pertinent parts of which I have quoted above, for as I read that release the Committee is prepared to extend to me the opportunity to explain the terms of my compliance and my actions in providing the information I submitted. I respectfully request that you extend the courtesy to me as State Chairman of the Pennsylvania Democratic State Committee to so explain, and at the same time I repeat my offer made publically and to you now by means of this letter "all the financial records of the State Committee are available to the public, the press, your investigators, and anyone else who wants to see them."

To this end, I repeat I hold myself and my Counsel available to appear before your Committee for the purpose of explaining our position and to answer any questions concerning the matters submitted and to avail the facilities of the offices of Democratic State Committee to your investigators for the purpose of reviewing the financial records we have. I wish to make it abundantly clear, however, that in making this offer to you I do not propose to relinquish in any fashion our status, before the Commonwealth Court renders its decision on such matters, and it would seem to me that the least consideration the Republican Majority of your Committee could give to this entire matter is to await the decision of the Commonwealth Court so that there may be properly spelled out the powers of your Committee.

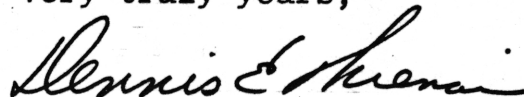
Honorable Patrick A. Gleason

-4-

September 5, 1974

I eagerly await a reply from you to this communication and, so that I may be assured that all members of your Committee are receiving a copy of this communication, I am directing copies of this letter to each member of your Committee.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Dennis E. Thiemann".

Dennis E. Thiemann
Chairman