



FEDERAL ELECTION COMMISSION

1325 K STREET NW  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1251

Date Filmed 10/30/80 Camera No. --- 2

Cameraman GPE



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 9, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Grace M. Dunn  
10 Smith Street  
Chelmsford, MA 01824

Re: MUR 1251

Dear Ms. Dunn:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles N. Steele".

Charles N. Steele  
General Counsel

30010221352



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Grace M. Dunn  
10 Smith Street  
Chelmsford, MA 01824

*RH*

Re: MUR 1251

Dear Ms. Dunn:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

80010221553



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 9, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Marianne Parefsky  
10 Smith Street  
Chelmsford, MA 01824

Re: MUR 1251

Dear Ms. Parefsky:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

  
Charles N. Steele  
General Counsel





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Marianne Parefsky  
10 Smith Street  
Chelmsford, MA 01824

*RF*

Re: MUR 1251

Dear Ms. Parefsky:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

30010221555



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 9, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Kevin J. Cassidy  
107 Woodlawn Street  
Everett, MA 02149

Re: MUR 1251

Dear Mr. Cassidy:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles N. Steele".

Charles N. Steele  
General Counsel

80010221656



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Kevin J. Cassidy  
107 Woodlawn Street  
Everett, MA 02149

*RWA*

Re: MUR 1251

Dear Mr. Cassidy:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

30010221557



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 9, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Donald A. Pofcher  
9 Locust Street  
Salem, MA 01970

Re: MUR 1251

Dear Mr. Pofcher:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Steele".

Charles N. Steele  
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Donald A. Pofcher  
9 Locust Street  
Salem, MA 01970

*RMA*

Re: MUR 1251

Dear Mr. Pofcher:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

80010221559



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 9, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jeffrey M. Freedman  
BROWN, RUDNICK, FREED & GESMER  
Counsellors at Law  
One Federal Street  
Boston, MA 02110

Re: MUR 1251

Dear Mr. Freedman:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles N. Steele".

Charles N. Steele  
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jeffrey M. Freedman  
BROWN, RUDNICK, FREED & GESMER  
Counsellors at Law  
One Federal Street  
Boston, MA 02110

RVA

Re: MUR 1251

Dear Mr. Freedman:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on October 7, 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

80040221651



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 9, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John F. McMahon  
ANGOFF, GOLDMAN, MANNING,  
    PYLE & WAGNER, P.C.  
Counsellors at Law  
44 School Street  
Boston, MA 02108

Re: MUR 1251

Dear Mr. McMahon:

The Federal Election Commission has reviewed the allegations of your complaint dated June 30, 1980, and determined that on the basis of the information provided in your complaint and information provided by the Respondents that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended (the "Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact R. Lee Andersen, the attorney assigned to this matter at (202) 523-5071.

Sincerely,

A handwritten signature in dark ink, appearing to read "C. Steele", is written over the typed name and title.

Charles N. Steele  
General Counsel



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John P. McMahon  
ANGOFF, GOLDMAN, MANNING,  
PYLE & WAGNER, P.C.  
Counsellors at Law  
44 School Street  
Boston, MA 02108

RH

Re: MUR 1251

Dear Mr. McMahon:

The Federal Election Commission has reviewed the allegations of your complaint dated June 30, 1980, and determined that on the basis of the information provided in your complaint and information provided by the Respondents that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended (the "Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact R. Lee Andersen, the attorney assigned to this matter at (202) 523-5071.

Sincerely,

Charles N. Steele  
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 1251  
Kevin J. Cassidy )  
Grace M. Dunn )  
Marianne Paresky )  
Donald A. Pofcher, )  
Massachusetts Teachers )  
Association )  
Their Agents )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 7, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1251:

1. Find NO REASON TO BELIEVE that respondents Cassidy, Dunn, Paresky, Pofcher, their agents or the Massachusetts Teachers Association committed a violation of 2 U.S.C. §437g(a)(12) by making public the complaint in MUR 1246 without the written permission of the complainants in this matter.
2. Find NO REASON TO BELIEVE that respondents in this matter knowingly and willfully made false representations to the Commission in their complaint in the related MUR 1246.
3. CLOSE THE FILE.
4. Send the letters as attached to the First General Counsel's Report dated October 3, 1980.

Voting for this determination were Commissioners Aikens, Friedersdorf, Harris, McGarry, Reiche, and Tiernan.

Attest:

10/7/80  
Date

*Marjorie W. Emmons*  
Marjorie W. Emmons  
Secretary to the Commission

Received in Office of the Commission Secretary: 10-3-80, 10:38  
Circulated on 48 hour vote basis: 10-3-80, 2:00



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*  
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *m*  
DATE: OCTOBER 7, 1980  
SUBJECT: COMMENT REGARDING TYPOGRAPHICAL ERRORS  
IN THE FIRST GENERAL COUNSEL'S REPORT  
ON MUR 1251

Attached is a copy of Commissioner Aikens"

vote sheet with comments regarding MUR 1251.

ATTACHMENT:  
Copy of Vote Sheet

48 HOUR TALLY SHEET

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

80 OCT 7 P 2: 01

Date and Time Transmitted: FRIDAY, 10-3-80  
2:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, MCGARRY, REICHE, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: TUESDAY, OCTOBER 7, 1980  
2:00

MUR No. 1251 - First General Counsel's Report dated 10-3-80

- (✓) I approve the recommendation  
( ) I object to the recommendation

COMMENTS: Two typos: 1. wrong cite # on p. 1 D. 9.  
2. p. 2 (2)(A) D. 4 word should be with.

Date: 10-7-80

Signature: J. Aikens

A DEFINITE VOTE IS REQUIRED AND ALL SHEETS SIGNED AND DATED.  
PLEASE RETURN ONLY THE VOTE SHEETS TO THE OFFICE OF THE  
COMMISSION SECRETARY NO LATER THAN THE DATE AND TIME SHOWN  
ABOVE.



October 3, 1980

MEMORANDUM TO: Marjorie W. Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 1251

Please have the attached First GCR Report distributed to the Commission on a 48 hour tally basis. Thank you.

30040221667

RECEIVED  
FEDERAL ELECTION COMMISSION THE  
1325 K Street, N.W. SECRETARY  
Washington, D.C. 20463

80 OCT 3 410: 38  
FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION

10-3-80

MUR: 1251  
DATE COMPLAINT RECEIVED  
BY OGC: 07/10/80  
STAFF MEMBER:  
R. Lee Andersen

COMPLAINANT'S NAME: Massachusetts Federation of Teachers

RESPONDENT'S NAME: Kevin J. Cassidy, Grace M. Dunn, Marianne Paresky, and Donald A. Pofcher, and their agents and the Massachusetts Teachers Association

RELEVANT STATUTE: 2 U.S.C. § 437g(a)(12) and 18 U.S.C. § 1001  
11 C.F.R. § 111.21(a) and 11 C.F.R. § 111.4(c)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Complainant Massachusetts Federation of Teachers ("MFT") submitted a signed and sworn complaint to the Federal Election Commission on July 2, 1980 alleging that: (1) copies of the complaint submitted by the respondents complainants in MUR 1246 were distributed to the public without the written consent of MFT in knowing and willful violation of 2 U.S.C. § 437g(a)(12); (2) that the Massachusetts Teachers Association ("MTA") publicized and disseminated information concerning the complaint in MUR 1246 also in violation of 2 U.S.C. § 327g(a)(12)1/; and, (3) that the respondents Cassidy, Dunn, Paresky and Pofcher have violated 18 U.S.C. § 1001 and 11 C.F.R. § 111.4(c) by knowingly and willfully making false and fictitious representations in their complaint in MUR 1246.

1/ For purposes of the remainder of this complaint, these first two allegations will be considered as one in the same since they both concern possible breach of confidentiality by the named respondents.

FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (the "Act") has two confidentiality provisions, 2 U.S.C. § 437g(a)(4)(B)(i), concerning confidentiality of conciliation agreements made with the Commission, and 2 U.S.C. § 437g(a)(12), concerning confidentiality of Commission notifications and investigations. It is the latter provision of the Act which is involved in this matter. Section 437g(a)(12) states:

(12) (A) Any notification or investigation made under this section shall not be made public by the Commission or by any person without the written consent of the person receiving such notification or the person will respect to whom such investigation is made.

Commission Regulation, 11 C.F.R. § 111.21(a) implements the statutory confidentiality provision with the following language:

(a) Except as provided in 11 CFR 111.23, no complaint filed with the Commission, nor any notification sent by the Commission, nor any investigation conducted by the Commission, nor any findings made by the Commission shall be made public by the Commission or by any person or entity without the written consent of the respondent with respect to whom the complaint was filed, the notification sent, the investigation conducted, or the finding made.

Comparing the two provisions, it is apparent that to the statutory prohibitions against making public without written permission of the respondent "any notification" or "any investigation," the regulation 11 C.F.R. § 111.21(a) has added "any complaint filed with the Commission." However, the explanation and justification of these regulations which appeared in the Federal Register at 45 Fed. Reg. 15089 (March 7, 1980), did not indicate that this change in the Commission regulations was intended to expand substantively the coverage of this confidentiality provision.

The responses received from Cassidy, Dunn, Paresky and Pofcher deny distributing any copies of the complaint or in any way making the complaint public (see Exhibit 1). For the purpose of responding to the Commission's notification letter, MTA admits publishing information regarding the complaint in its newsletter, but states that the complaint was already "made public" by the time the MTA became aware of it. Also, MTA states that in its newsletter article, no mention was made of the Commission notification or investigation, therefore keeping MTA's publication out of the coverage of the statutory

30010221669



provision which unlike Commission Regulation 11 C.F.R. § 111.21(a) does not reference complaints among those aspects of a Commission proceeding which must remain confidential. Finally, MTA notes that in its opinion, if the confidentiality provision was to be extended to prohibit their publishing information about the complaint in question, the statute would unconstitutionally limit MTA's freedom of speech and press (citing New York Times Co. v. U.S., 403 U.S. 713 (1971)(see Exhibit 2)).

30010221670  
The Commission has recently disposed of two similar complaints (MUR 1244 and 1266) which alleged that persons made public complaints either simultaneous with or after filing of the complaint with the Commission. In both of those MUR's, the Commission, voted to find no reason to believe that violations had been committed. In light of these recent Commission actions and the need to read Commission Regulation 11 C.F.R. § 111.21(a) as limited by its statutory antecedent, 2 U.S.C. § 437g(a)(12), the Office of General Counsel recommends that the Commission find no reason to believe that the respondents committed a violation of 2 U.S.C. § 437g(a)(12) by making public a complaint without the written permission of the respondents in MUR 1249.

The second violation which the complainant alleges is that the respondents, Cassidy, Dunn, Paresky, Pofcher and their agents, knowingly and willfully made misrepresentations of material facts with respect to certain events described in the complaint in MUR 1246. Commission Regulation 11 C.F.R. § 111.4(c) subjects all statements made in complaints to the federal perjury statute, 18 U.S.C. § 1001, which provides for criminal penalties for false representations made in official submissions to a government agency. However, in their complaint, MFT makes only allegations of misrepresentation with no narrative or documentary evidence to support the charge against these respondents. Without more than the mere allegation of perjury to consider, the Office of General Counsel is unable to recommend anything other than that the Commission find no reason to believe that the respondents in MUR 1251 knowingly and willfully made false representations to the Commission in their complaint in the related MUR 1246.

#### RECOMMENDATIONS

1. Find no reason to believe that respondents Cassidy, Dunn, Paresky, Pofcher, their agents or the Massachusetts Teachers Association committed a violation of 2 U.S.C. § 437g (a)(12) by making public the complaint in MUR 1246 without the written permission of the complainants in this matter.



2. Find no reason to believe that respondents in this matter knowingly and willfully made false representations to the Commission in their complaint in the related MUR 1246.

3. Close the file.

4. Send the attached letters.

Attachments

1. Exhibit 1, responses of Cassidy, Dunn, Paresky and Pofcher.
2. Exhibit 2, response of Massachusetts Teachers Association.
3. Letters to respondents and complainant.
4. Complaint

80040221671

Re: MUR 1246

MUR 1251

July 18, 1980

Charles N. Steele, Esq.  
General Counsel

Federal Election Commission  
Washington, D. C.

Dear Mr. Steele,

I am a school teacher and a labor unionist;

I am attempting to stop those individuals named in MUR 1246 from continuing to operate (attend the National Democratic Convention) in violation of the law and my rights as a union member.

Relative to the complaint, MUR 1251, I deny all its allegations.

The fact that Mr. Paul Devlin and the Federation Executive Board were in violation of FEC and LMDRA laws was public knowledge and widely discussed by delegates at the Federation annual convention the evening of the annual meeting, May 16, and during the convention proceedings on May 17 (see enclosure: a copy of charges which was seen by all delegates and which was an attempt to thwart Mr. Devlin's election campaign)

I sent no copies of FEC charges to anyone. When the charges were made to the FEC they were also given to the Federation Executive Board (a 21 member body). As I read the law, it never mentions letting people know that charges were made by union members. The law, as I see it, says that once your agency notifies the parties of an investigation, matters become confidential. Any executive board member of the federation or even Mr. Devlin, himself, could have distributed charges.

MUR 1251 states that we knowingly and willingly made false charges on pages 3 and 4. I was an executive board member present at the meeting along with Mr. Donald Pofcher when without debate and after objections

were made by attorney Jack Carpenter (the Associate Executive Secretary of the MFT in charge of legal and legislative affairs), the Executive Board voted the use of union resources for Mr. Devlin's campaign. You need only contact the following people, who also were present at the meeting, for substantiation of the charges:

Frank Martin, Executive Secretary  
Sunsurf Ave  
Little Boars Head  
Hampton, New Hampshire (Tel: 603 926 8015)

John J. Carpenter, Associate Executive Secretary  
258 Somerville Ave  
Somerville, Massachusetts (Tel: 617 666 3123)

Ms Virginia Pavlis, Associate Executive Secretary  
114 Western Ave  
Lynn, Massachusetts (Tel: 617 599 6800)

Other employees who were put to work on Mr. Devlin's campaign (making flyers etc. and representing him at the caucus). These individuals are reachable at the Federation office in Lynn, Massachusetts. They are:

Ms. Virginia Pavlis  
Ms. Kay Brown  
Ms. Terry Graham  
Ms. Joan Buckley  
Mr. Jay Porter  
Mr. Robert Marland

Can you tell me if the FEC investigation will be completed before the Democratic National Convention? If the Executive Board and Mr. Devlin are found in violation of FEC laws will he be allowed to attend the Convention?

Very truly yours,

Kevin J. Cassidy

*Kevin J. Cassidy*

*July 22, 1980*

*Edward F. Donovan*

UNITED STATES OF AMERICA  
BEFORE THE DEPARTMENT OF LABOR  
SECRETARY OF LABOR

RECEIVED  
JUL 25 PM 1:00

In the matter of

PETITION BY UNION MEMBERS  
FOR INVESTIGATION BY THE  
SECRETARY OF LABOR UNDER  
29 UNITED STATES CODE 482  
SECTION 402

vs.

THE EXECUTIVE BOARD OF THE MASSACHUSETTS FEDERATION OF  
TEACHERS, AFT-AFL-CIO

May 13, 1980

THE FOLLOWING IS A FORMAL CHARGE BY UNION MEMBERS  
OF MALFEASANCE IN THE USE OF UNION FUNDS AND RESOURCES  
BY THE EXECUTIVE BOARD OF THE MASSACHUSETTS FEDERATION  
OF TEACHERS

30040321575

WE the undersigned members in good standing of the Massachusetts Federation of Teachers respectfully request the Secretary of Labor under Title IV of the Labor-Management Reporting and Disclosure Act in order to protect us under the law and safeguard and preserve the democratic processes of our union investigate our charge that the state executive board of the Massachusetts Federation of Teachers by votes at formal monthly board meetings and through malfeasance in office as board members are in violation of 29 UNITED STATES CODE 482, Section 401( UNION MEMBERS BILL OF RIGHTS ).

The executive board by its acts did not and currently does not recognize that every member of our union has equal rights and privileges to participate in free union elections.

The executive board of our union is specifically in violation of Section 401 (g) of the aforesaid UNITED STATES CODE:

"NO MONEYS RECEIVED BY ANY LABOR ORGANIZATION BY WAY OF DUES, ASSESSMENTS, OR SIMILAR LEVY, AND NO MONEYS OF AN EMPLOYER SHALL BE CONTRIBUTED OR APPLIED TO PROMOTE THE CANDIDACY OF OF ANY PERSON IN AN ELECTION SUBJECT TO THE PROVISIONS OF THIS TITLE. SUCH MONEYS OF A LABOR ORGANIZATION MAY BE UTILIZED FOR NOTICES, FACTUAL STATEMENTS OF ISSUES NOT INVOLVING CANDIDATES, AND OTHER EXPENSES NECESSARY FOR THE HOLDING OF AN ELECTION."

We charge that on at least four occasions the Massachusetts Federation of Teachers Executive Board contributed cash (the origin of which is union dues) to promote the candidacy of one Paul Devlin, a union member and an employee of the union. His candidacy in three instances was and currently is for union elected office: once as Vice-president of the American Federation of Teachers, once as Vice-president of the Massachusetts State Labor Council, AFL-CIO, and currently as a candidate for president of the Massachusetts Federation of Teachers. Both cash and resources of the union were put at the disposal of Mr. Devlin. On the fourth occasion the executive board at a formal meeting directed that the resources of the union be directed for use by Mr. Devlin in seeking the position of delegate to the 1960 Democratic Party Convention.

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The executive board of our union allowed Mr. Devlin certain hotel, travel, and entertainment expenses and paid him as a union employee while he actively sought the aforesaid union and political offices. These charges can be clearly and convincingly substantiated by the documentary records of the Massachusetts Federation of Teachers (Minutes of executive board meetings---cancelled checks--- and other receipts).

2

At a formal meeting of the executive board on May 10, 1980 the board aided Mr. Devlin's candidacy by granting him an indefinite leave of absence and, therefore, allowing him to remain a union employee while seeking elected union office; this in our view places regular rank and file members at an unfair advantage in view of the fact that presently Mr. Devlin intends to return to active employment as a full time union president, a position which currently does not exist.

Further, upon investigation the Secretary of Labor will find ready and willing testimony from union members who were present when the aforesaid events occurred or possess documentary evidence substantiating all charges.

10 Smith Street  
Chelmsford, Massachusetts  
July 28, 1980

01824

2144

Mr. Charles N. Steele  
General Counsel  
Federal Election Commission  
Washington, D. C. 20463

0 JUL 31 1980 P4:48

Dear Mr. Steele:

I, Grace M. Dunn, deny all  
allegations made in MUR 1251 relative  
to MUR 1246. I never violated  
the law and in no manner  
whatsoever distributed any documents  
relative to MUR 1246 or knowingly  
and willfully made false representations.

Sincerely,  
Grace M. Dunn

Commonwealth of Massachusetts July 28, 1980  
Middlesex, ss.  
Then personally appeared before me the above-named  
Grace M. Dunn and acknowledged this document to be  
her true act and deed.

William P. Trafford  
Notary Public  
My Commission Expires March 5, 1987



10 Smith Street  
Chelmsford, Massachusetts  
July 28, 1980

Mr. Charles N. Steele  
General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Dear Mr. Steele:

Upon receipt of your letter dated July 7, 1980 concerning the matter, MUR 1251, I wish to make the following statement:

Relative to MUR 1246, I deny all allegations made in complaint MUR 1251. I have never violated the Law, I have never distributed any documents relative to MUR 1251, and I have never knowingly and willfully made false and fictitious representations in complaint MUR 1246.

I received your letter on July 28, 1980.

Respectfully,

Marianne J. Parisky

Commonwealth of Massachusetts

Middlesex, Ss.

July 28, 1980

Then personally appeared before me the above-named, Marianne J. Parisky and acknowledged this document to be her true act and deed.

William P. Schaffner  
Notary Public

My Commission expires March 7, 1980



RE  
GENERAL COUNSEL

RECEIVED

July 11, 1980 PM 4:26

80 JUL 21 P12:17

Charles N. Steele, General Counsel  
Federal Election Commission  
Washington, DC 20463

909158

Dear Mr. Steele

Re: MUR-1251

I shall address myself first to the numbered sections of the complaint. 2) I. c. should be 8 Locust St. 2) I. e. I have no agents and/or attorneys, known or unknown. 6) I did not mail copies of MUR-1246 to any person or agency with the exception of the Federal Election Commission. 7-10) I know nothing about these mailings. 11) This paragraph evidently refers to MUR-1246 and it is incorrect to state that the "purpose of the filing was to compromise the MFT as an organization."

12) Pages 3 and 4 of MUR-1246 are correct. The note is also correct. I signed MUR-1246 as a member in good standing of the Billerica Federation of Teachers, Local 1677, AFT/AFL-CIO. Nothing in MUR-1246 in any way suggests that the Billerica Federation of Teachers approved my act.

13-15) I do not know how the Massachusetts Teachers Association received MUR-1246 or any part of it, but I do know the Ralph Devlin, a brother of Paul Devlin, who signed MUR-1251, is employed by the Massachusetts Teachers Association.

I would also note that the date of Paul Devlin's signature is July , 1980, while the date of the Notary Public is June 30, 1980.

Exhibit 1 (b) and Exhibit 2 (b) are defective as Page 1 is missing. These exhibits as well as Exhibit 3 (a) are missing Exhibit II (the campaign flyer for Paul L. Devlin) from MUR-1246.

I was at the MFT Executive Board meeting when we voted to support Paul Devlin as a Kennedy delegate to the Democratic National Convention. I thought that any financial help would have to involve COPE funds. I was also there at the caucus for the Kennedy delegates. Of the staff people at the caucus, Joan Buckley and Robert Marland were from outside the 6th Congressional District.

I believe that MUR-1246 should be judged on its merits. Then let MUR-1251 be judged on its merits.

Sincerely yours,

*Donald A. Pofcher*  
Donald A. Pofcher

8 Locust Street  
Salem, MA 01970

MATTHEW BROWN  
ALFRED P. RUDNICK  
HENRY FREED  
HENRY GESMER  
EDWARD SCHNEIDER  
AARON J. BRONSTEIN  
MARVIN N. GELLER  
JACK H. CALECHMAN  
DONALD E. PAULSON  
KENNETH A. KORB  
PETER D. GENS  
LAWRENCE M. LEVY  
STEPHEN WOLFBERG  
PHILIP C. SCHNEIDER  
M. FREDERICK PRITZKER  
JOEL M. RECK  
ANDRE C. JASSE, JR.  
JEFFREY M. FREEDMAN  
CARL E. AXELROD  
GERALD P. TISHLER  
SHELDON M. DRUCKER

BROWN, RUDNICK, FREED & GESMER

COUNSELLORS AT LAW

ONE FEDERAL STREET, BOSTON, MASS. 02110

TELEPHONE: (617) 542-3000 · CABLE: "LAWFIRM" BOSTON

PETER B. FARROW  
DANIEL D. SULLIVAN  
ROY D. TOULAN, JR.  
DAVID G. STERN  
ROBERT E. BROOKS  
HARRY M. GROSSMAN  
M. ROBERT DUSHMAN  
GEORGE L. GOCHROS  
TUCKER DRUMMOND  
DAVID J. TRACY  
JOSEPH F. RYAN  
JOHN ACHATZ  
HOWARD L. LEVIN  
STEPHEN A. HANTMAN  
BARBARA A. LENK  
LOUIS C. MILLER  
MARILYN D. STEPLER  
SHARON GODDARD WHITE  
  
OF COUNSEL  
JOHN F. COLLINS

July 31, 1980

Office of General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: Massachusetts Federation of Teachers  
Vs: Cassidy, et al  
M.U.R. 1251

ATTN: LEE ANDERSON, ESQUIRE

Dear Mr. Anderson:

We represent the respondent, Massachusetts Teachers Association (the "MTA") in the above matter. We do not represent any of the other defendants. This letter is in response to your notice of July 7, 1980, which was received by the MTA on July 10, 1980.

The MTA does not admit any of the allegations contained in the complaint filed by the Massachusetts Federation of Teachers. However, for the purpose of this response only, I will assume that the allegations directed against the MTA are accurate. Even accepting those allegations, no action should be taken against the MTA for the following statutory and constitutional reasons.

First, the prohibition in 2 U.S.C. §437g(a)(12)(A) is against making public any notification or investigation undertaken by the Commission under the Federal Election Campaign Act. The MTA did not make the notification and investigation public. As the MTA was not a party to that action, the complaint (M.U.R. 1246) became public when the MTA received it or became aware of it.

There is no allegation in the MFT complaint that the MTA solicited the complaint in M.U.R. 1246 or that it obtained it unlawfully or feloniously. Nor is it alleged that the MTA conspired or acted in concert with the other defendants. Therefore, the MTA did not make it public

28.84 1 170

Office of General Counsel  
Page Two  
July 31, 1980

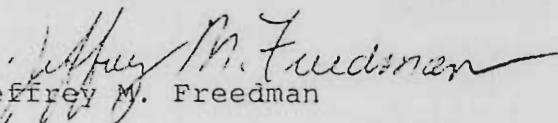
because the "notification or investigation" was already public when allegedly published by the MTA.

Second, 2 U.S.C. §437g(a)(12)(A) further requires that "[a]ny notification or investigation made under the section shall not be made public . . . ." In addition to the fact that the material was already public when received by the MTA, the MTA did not make public the "notification" or "investigation." The story allegedly published in a MTA newsletter did not mention the notification or a possible F.E.C. investigation of the M.F.T.

Third, the statute unconstitutionally limits the MTA's First Amendment rights of freedom of speech and press. If this same information were published by the New York Times, assuming it was obtained lawfully, the newspaper could not be prosecuted therefor. See, New York Times Co. v. U.S., 403 U.S. 713 (1971). The same principles apply to the MTA's newsletter.

Please consider this letter as our appearance for the MTA and address all future correspondence to the undersigned as its attorney.

Very truly yours,

  
Jeffrey M. Freedman

JMF/amt

80010121331



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John F. McMahon  
ANGOFF, GOLDMAN, MANNING,  
    PYLE & WAGNER, P.C.  
Counsellors at Law  
44 School Street  
Boston, MA 02108

Re: MUR 1251

Dear Mr. McMahon:

The Federal Election Commission has reviewed the allegations of your complaint dated June 30, 1980, and determined that on the basis of the information provided in your complaint and information provided by the Respondents that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended (the "Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact R. Lee Andersen, the attorney assigned to this matter at (202) 523-5071.

Sincerely,

Charles N. Steele  
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jeffrey M. Freedman  
BROWN, RUDNICK, FREED & GESMER  
Counsellors at Law  
One Federal Street  
Boston, MA 02110

Re: MUR 1251

Dear Mr. Freedman:

On July 7, 1980, the Commission notified you of a complaint alleging that your client may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September , 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

30040:21583



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Donald A. Pofcher  
9 Locust Street  
Salem, MA 01970

Re: MUR 1251

Dear Mr. Pofcher:

On July 7, 1980, the Commission notified you of a complaint alleging that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September , 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

8001021581



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Kevin J. Cassidy  
107 Woodlawn Street  
Everett, MA 02149

Re: MUR 1251

Dear Mr. Cassidy:

On July 7, 1980, the Commission notified you of a complaint alleging that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September , 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Marianne Parefsky  
10 Smith Street  
Chelmsford, MA 01824

Re: MUR 1251

Dear Ms. Parefsky:

On July 7, 1980, the Commission notified you of a complaint alleging that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September , 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

30719221835





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Grace M. Dunn  
10 Smith Street  
Chelmsford, MA 01824

Re: MUR 1251

Dear Ms. Dunn:

On July 7, 1980, the Commission notified you of a complaint alleging that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September , 1980, determined that on the basis of the information in the complaint and information provided by you, that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

3091021437

UNITED STATES OF AMERICA  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

\* \* \* \* \*

MASSACHUSETTS FEDERATION OF                   \*  
TEACHERS

Complainant                   \*

v.                   \*

KEVIN J. CASSIDY, GRACE M. DUNN,           \*  
MARIANNE PARESKY and DONALD A.           \*  
POFCHER, and their agents

and                   \*

COMPLAINT

THE MASSACHUSETTS TEACHERS               \*  
ASSOCIATION

Respondents               \*

\* \* \* \* \*

80010221333

Pursuant to 2 U.S.C. Sec. 437g(a)(1) and 11 C.F.R.  
§114.4(a), Massachusetts Federation of Teachers complains that  
Kevin J. Cassidy, Grace M. Dunn, Marianne Paresky, Donald A.  
Pofcher and their agents and attorneys have knowingly and  
willfully violated 2 U.S.C. Sec. 437g(a)(12)(A) by publicizing  
and circulating copies of the complaint in MUR-1246 after its  
filing and that the said respondents Cassidy, Dunn, Paresky  
and Pofcher have violated 18 U.S.C. Sec. 1001 and 11 C.F.R.  
§111.4(c) by knowingly and willfully making false and fic-  
ticious representations in Complaint MUR-1246.

This Complaint further charges that the Massachusetts  
Teachers Association, a rival organization, has also publicized

and disseminated information concerning the Complaint in MUR-1246 in violation of 2 U.S.C. Sec. 437g(a)(12)(A) and 11 C.F.R. §111.4(c).

A. THE PARTIES

1) The complainant is Massachusetts Federation of Teachers, a labor organization consisting of forty (40) local unions affiliated with the American Federation of Teachers, AFL-CIO. Its present address is 114 Western Avenue, Lynn, MA 01904.

2) The respondents are:

- I. a) Kevin J. Cassidy, 107 Woodlawn Street, Everett, MA 02149;
- b) Grace M. Dunn, 10 Smith Street, Chelmsford, MA 01824;
- c) Donald A. Pofcher, 9 Locust Street, Salem, MA 01970;
- d) Marianne Paresky, 10 Smith Street, Chelmsford, MA 01824; and
- e) their agents and attorneys who are presently unknown; and
- II. a) The Massachusetts Teachers Association, National Educational Association, 20 Ashburton Place, Boston, MA 02108

GRAVAMEN

A. THE PUBLICATION VIOLATION BY THE INDIVIDUAL RESPONDENTS

3) On June 10, 1980 the named respondents filed a

complaint with the Federal Election Commission ("FEC") against the Massachusetts Federation of Teachers Executive Board and Paul L. Devlin, asserting violations of 2 U.S.C. Sec. 4416, docketed as Case No. MUR-1246, according to a notice from FEC General Counsel, Charles N. Steele, dated June 13, 1980.

4) 2 U.S.C. Sec. 437g(a)(12)(A) and 11 C.F.R. §111.21(a) establish that no complaint filed with the FEC shall be made public by any person without the written consent of a respondent and, Sec. 437g(a)(12)(B) provides in relevant part:

" . . . any other person who violates the provisions of subparagraph (A) shall be fined not more than \$2,000. Any such . . . other person who knowingly and willfully violates the provisions of subparagraph (A) shall be fined not more than \$5,000."

5) Neither the Massachusetts Federation of Teachers, its Executive Board or Paul L. Devlin have given written or other consent to the Commission or other person to make public the complaint in MUR-1246.

6) Notwithstanding the confidentiality requirements imposed by 2 U.S.C. Sec. 437g(a)(12) and 11 C.F.R. 111.21(a), respondents Cassidy, Dunn, Pofcher and Paresky, and their agents and attorneys, after filing the complaint in MUR-1246, mailed copies to at least a Massachusetts state agency, to attorneys representing municipal employers, and to local AFT union presidents and members.

7) Paul L. Devlin, President of MFT, is informed by Officers and employees of the Massachusetts State Labor Council, AFL-CIO, that on either June 16 or 17, 1980 they received through the regular mails, a copy of the complaint in a plain envelope.

8) Mr. Devlin was informed by Labor Attorney Allan Drachman on or about June 18 that his office had received a copy of the complaint in plain wrapping through the mails. Attorney Drachman's letter confirming receipt on June 17, 1980 is annexed as Exhibit 1.

9) Mr. Devlin was informed by Labor Attorney Norman Holtz that on June 17, 1980 his office received through the mail a copy of the complaint. Attorney Holtz verifies that receipt in his letter attached as Exhibit 2. The materials accompanying this verification include a photocopy of an envelope addressed to him which is designated as Exhibit 2(c). That envelope bears a Boston postmark after June 10, 1980 and appears to have been typed on the same typewriter used in preparing the complaint.

10) The following incidents of circulation are attested by Mr. Devlin as matters of his information and belief:

A) Fritz Castleman, Senior Counsel, Massachusetts Labor Relations Commission, informs MFT Counsel that his state agency received by mail a copy

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of the Complaint on June 19, 1980 in a plain white envelope postmarked at Boston, June 16, 1980 at 1:00 p.m., six (6) days after the filing of the Complaint. Attorney Castleman furnished a copy of the item which is another copy of the complaint with its June 5 signatures, and a copy of the envelope with its postmark and date stamp. The address on the envelope and the text of the complaint appear to have been typed on the same model of typewriter. Both items are attached as this Complaint's Exhibit 2.

- B) MFT staff members have reported that copies of the complaint were mailed to and received after June 10, 1980 by the following presidents and members of AFT local unions.

Joseph Bronstad  
SMU Faculty Federation  
SMU  
N. Dartmouth, MA

Brian Finn  
57 River Road  
Andover, MA

Cynthia Founds  
Westport Federation of  
Teachers

Rose Greenside  
41 Ohio Avenue  
Lawrence, MA

Henry Harlow  
W. Winkley Street  
Amesbury, MA

Thomas Karpicus  
Tohonto Teachers Assoc.,  
Local 3225

Thomas Mazzarini  
19 Dearborn Street  
Salem, MA

Donald Nickerson  
273 Rogers Street  
Tewksbury, MA

Frank Nolan  
12 Regent Dirve  
Danvers, MA

Charles St. Paul  
112 Pleasant Street  
Methuen, MA

Cheryl Supko  
135 Harding Street  
Medfield, MA

11) The widespread distribution to State Council officers, employer attorneys, and local union presidents impairs the ability to carry out its responsibilities and shows that the purpose of the filing was to compromise the MFT as an organization.

B. THE FALSE REPRESENTATION VIOLATION

12) The complaint in MUR-1246 makes misrepresentation of material facts with respect to the alleged events described on its pages 3 and 4. Said misrepresentations were knowingly and willfully made by the named respondents as to matters within the jurisdiction of the Federal Election Commission in violation of 18 U.S.C. Sec. 1001.\*

C. THE VIOLATION BY THE MASSACHUSETTS  
TEACHERS ASSOCIATION

13) The Massachusetts Teachers Association is an employee organization affiliated with the National Educational Association and a competitor and rival of MFT.

14) On or about June 25, 1980 the Massachusetts Teachers Association mailed several thousand copies of a leaflet entitled "Teachers Voice" to City of Boston public school employees. A copy is attached as this Complaint's Exhibit 4 and its page 4 contains a description of the complaint in MUR-1246, with extensive quotations from its text.

---

\*Note: The Complainants were not authorized by locals 1677, 1340, and 3569 to file a complaint as representatives of the aforesaid local unions.



15) This extensive public dissemination by the rival Massachusetts Teachers Association will impair the relationship between the MFT's affiliate, Boston Teachers Union, Local 66, AFT, and City of Boston public school employees and severely damages both MFT and Boston Teachers Union.

Respectfully submitted,

MASSACHUSETTS FEDERATION OF  
TEACHERS

July , 1980

By: Paul L. Devlin  
Paul L. Devlin

Suffolk, ss

Then appeared before me Paul L. Devlin and swore that the contents of this complaint are true to his knowledge and that as to any matters of belief, he believes them to be true and he signed this complaint in my presence.

David H. [Signature]  
Notary Public  
My Commission Expires: 11/1/80

Dated: June 30, 1980

30019221594



ALLAN W. DRACHMAN, P. C.  
ATTORNEYS AT LAW

ALLAN W. DRACHMAN  
NAOMI R. STONBERG  
PHILIP COLLINS  
DOROTHY Q. NELSON

183 DEVONSHIRE STREET  
BOSTON, MASSACHUSETTS 02110  
(617) 482-8250

June 27, 1980

John McMahon, Esquire  
Angoff Goldman Manning Pyle & Wagner  
44 School Street  
Boston, Massachusetts

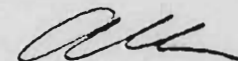
Re: Paul Devlin

Dear John:

I am enclosing a copy of the complaint to the Federal Election Commission involving internal affairs regarding AFT and Paul Devlin.

The document was received in my office on June 17, 1980.

Yours very truly,

  
Allan W. Drachman

AWD:de  
Enclosure

800340221695

RECEIVED JUN 30 1980

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ELECTION COMMISSION

TO THE GENERAL COUNCIL OF  
THE FEDERAL ELECTION COMMISSION  
CHARLES A. STONE

COMPLAINT AND REQUEST FOR  
INVESTIGATION FOR VIOLATION OF  
2 USC 441b IN THE MATTER OF:

CHARLES A. STONE, PRESIDENT OF  
TEACHERS LOCAL 3500  
AFT, AFL-CIO

BILLERICA FEDERATION OF  
TEACHERS, LOCAL 1677  
AFT, AFL-CIO

CHILSEA TEACHERS UNION  
LOCAL 1340, AFT, AFL-CIO

LYNN TEACHERS UNION  
LOCAL 1037, AFT, AFL-CIO

VS

MASSACHUSETTS ASSOCIATION OF TEACHERS EXECUTIVE BOARD  
ONE PAUL E. STONE

JUL 2, 1960

in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or a representative in, or a delegate or Resident Commissioner to, Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section, or any officer or any director of any corporation or any national bank or any officer of any labor organization to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section.

(b) (1) For the purposes of this section, the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work:

(2) For purposes of this section and section 791(h) of Title 15, the term "contribution or expenditure" shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, but shall not include (A) communication by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject; (B) nonpartisan registration get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organization aimed at its members and their families; (C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

(3) It shall be unlawful--

(A) for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction;

(B) for any person soliciting an employee for any contribution to such a fund to fail to inform such employee of the political purposes of such fund at the time of such solicitation; and

(C) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee, at the time of such solicitation, of his right to refuse to so contribute without any reprisal.

(4) (A) Except as provided in subsections

than its stockholders and their families and its executive or administrative personnel and their families, and

(ii) for a labor organization, or a separate segregated fund established by a labor organization, to solicit contributions to such a fund from any person other than its members and their families.

(B) it shall not be unlawful under this section for a corporation, a labor organization, or a separate segregated fund established by such corporation or such labor organization, to make written solicitations for contributions during the calendar year for any stockholder, executive or administrative personnel, or employee of a corporation or the families of such persons. A solicitation under this paragraph shall be made only by mail addressed to stockholders, executive or administrative personnel, or employees at their residence and shall be so designed that the corporation, labor organization, or separate segregated fund conducting such solicitations cannot determine who makes a contribution of .50 or less as a result of such solicitations and who does not make such a contribution.

(C) this paragraph shall not prevent a membership organization, cooperative, or corporation without capital stock, or a separate integrated fund established by a membership organization, cooperative or corporation without capital stock.

The substantial nature of the charges is as follows:

At a formal monthly meeting of the Massachusetts Federation of Teachers executive board in March, 1939, the board voted its support and the Federation resources were put at the disposal of one Mr. Paul J. Devlin to assist Mr. Devlin's candidacy to become an elected delegate to the 1939 Democratic National Convention. Prior to taking a voice vote on the matter and at the aforesaid meeting a discussion on the matter was had. The executive board discussed with Mr. Devlin what kind of aid he would need and he responded by making a reference to "hard money versus soft money" and the use of secretarial help in preparing campaign literature (see Exhibit II a campaign flyer produced in Federation headquarters by Federation secretarial staff).

During the discussion the Executive Board was warned that giving Mr. Devlin help was an unethical practice; they were told that supporting his candidacy with Federation resources and materials put him at an unfair advantage over other union members who have little or no resources and may be desirous of running for delegate from the sixth Congressional district. Executive officers, executive board members and a staff union representative were present when Associate Executive Secretary JOHN J. CAMPBELL, also an attorney, gave the board the aforesaid warning. No response was made to the warning and immediately the board voted to help Mr. Devlin's candidacy.

Mr. Devlin used a Federation staff vehicle, a telephone credit card of the Federation, a Federation expense allowance, and Federation employees in his behalf prior to the Democratic Caucus meeting at Salem State College in Salem Massachusetts and during the day of the caucus meeting. Potential witnesses to the use of staff may be elicited from Federation employees, Ms. Joan Buckley, Mr. Jay Porter, and Mr. Robert Harland. New England Telephone Company records will verify

phone use and Mr. Devlin's expense records with the Federation will verify expense allowances.

Members of the executive board, Mr. Peter Shelton and Mr. Frederick Driscoll and others were campaigning and present at the caucus meeting on Mr. Devlin's behalf.

The Federal Election Commission should be aware that these charges are only the tip of the iceberg. Mr. Devlin and the executive board are presently under investigation by the American Federation of Teachers for violations of the Labor-Management Disclosure Act and the established policies of the Federation. We and other union members are presently filing with the United States Secretary of Labor a charge that the executive board in collusion with Mr. Devlin did by illegal use of Federation funds (the origins of which is Mr. Devlin's dues) violate the provisions of the Labor-Management Disclosure Act. We and other union members consider the Constitution and/or bylaws of the Federation to be a good faith contract between the Massachusetts Federation of Teachers and each member of the Federation which has been violated by the executive board and Mr. Devlin in

year period, against long standing union policy, general funds of the Federation to pay their local union legal expenses. Said expenses are normally incurred by local unions from local treasuries. Southeastern Regional Vocational School (Board member Matthew Foley), Salem Teachers Union (Board member Eugene Riley), New Bedford Paraprofessionals Local (by agreement with Paul L. Devlin), the Springfield Federation of Teachers (Board member Martin James Lee) all along locals of other board members have been draining the general funds of the State Federation for expenses which local unions which have no board representation pay in the normal course of administration of collective bargaining agreements. These matters are currently being brought before proper local forums for redress but we want the Commission to be aware of the corrupt practices of our executive board and Mr Paul L Devlin.

Upon investigation the Federal Election Commission will find willing testimony from Federation employees and union leaders who were present when the aforesaid events occurred and possesses documentary evidence substantiating all charges.

It is imperative that the Commission act quickly in that records of the Federation are being scrutinized by some of those who may be conspirators in the aforesaid violations and we worry that records may be altered, destroyed or hidden by those who are in power and may deem this best intent to cover up the true record.

, Lynn Teachers Union, Local 1037, AFT, AFL-CIO, the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.



Donald A. Pefano

, Ballerica Federation of Teachers, Local 1677,

AFT, AFL-CIO the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

9 Locust St.

Salem, MA 01970

*Sworn before me this 5th day of June 1980  
Thomas D. A. Brane, Notary Public  
my commission expires September 19, 1986*

Steve J. Cassidy

, Chelsea Teachers Union, Local 1340, AFT, AFL-CIO,

the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

107 WOODLAWN ST.

EVERETT, MA. 02149

*Sworn before me this 5th day of June 1980  
Gratifying Grace - Notary Public  
my comm expires 5-11-84*

Marion J. Persky  
Grace M. Brennan

Chelmsford Federation of Teachers, Local 3567,

AFT, AFL-CIO, the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

10 Smith Street, Chelmsford, Massachusetts 01824

10 Smith Street, Chelmsford, Massachusetts 01.

*Sworn before me this 5th day of  
June, 1980 William T. Hoffmann*

90010221701

LAW OFFICES  
HOLTZ AND GILMAN, P. C.  
18 TREMONT STREET  
BOSTON, MASSACHUSETTS 02108  
(617) 367 6660

NORMAN HOLTZ  
MICHAEL C. GILMAN

June 24, 1980

John McMahon, Esquire  
Angoff, Goldman, Nanning, Pyle & Wanger  
44 School Street  
Boston, Massachusetts 02108

Dear John:

Enclosed herewith please find Federal Election Commission Complaint which was received by me on Tuesday, June 17, 1980. It came in a plain letter size buff colored envelope with no return address and with no cover letter. Unfortunately we cannot locate the original that we received. I am sending this to you in accordance with your request.

Very truly yours,

*Norman Holtz*

Norman Holtz

NHLJLM

File No. 136

Enclosure

*Exhibit 2(a)*



UNITED STATES OF AMERICA

BEFORE THE

FEDERAL ELECTION COMMISSION

TO THE GENERAL COUNSEL OF  
THE FEDERAL ELECTION COMMISSION  
CHARLES J. STELL

COMPLAINT AND REQUEST FOR AN  
INVESTIGATION FOR VIOLATION OF  
2 USC 441b IN THE MATTER OF:

CHELSEAFORD FEDERATION OF  
TEACHERS LOCAL 3569  
AFT, AFL-CIO

BILLERICA FEDERATION OF  
TEACHERS, LOCAL 1677  
AFT, AFL-CIO

CHELSEA TEACHERS UNION  
LOCAL 1340, AFT, AFL-CIO

LYNN TEACHERS UNION  
LOCAL 1037, AFT, AFL-CIO

VS

MASSACHUSETTS FEDERATION OF TEACHERS EXECUTIVE BOARD  
AND  
ONE PAUL L. DEVLIN

JUNE 2, 1960

Exhibit 2(b)

in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or representative in, or a delegate or resident Commissioner to, Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section, or any officer or any director of any corporation or any national bank or any officer of any labor organization to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section.

(b) (1) For the purposes of this section the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work

(2) For purposes of this section and section 701(h) of Title 15, the term contribution or expenditure shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, but shall not include (A) communication by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject; (B) nonpartisan registration get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organization aimed at its members and their families; (C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

(3) It shall be unlawful--

(A) for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction;

(B) for any person soliciting an employee for any contribution to such a fund to fail to inform such employee of the political purposes of such fund at the time of such solicitation; and

(C) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee, at the time of such solicitation, of his right to refuse to so contribute without any reprisal

(4) (A) Except as provided in subparagraphs (b), (c), and (d), it shall be unlawful--

00040221705  
Federation resources and materials put him at an unfair advantage over other union members who have little or no resources and may be desirous of running for delegate from the sixth Congressional district. Executive officers, executive board members and a staff union representative were present when Associate Executive Secretary JOHN J. CANNLITTER, also an attorney, gave the board the aforesaid warning. No response was made to the warning and immediately the board voted to help Mr. Devlin's candidacy.

Mr. Devlin used a Federation staff vehicle, a telephone credit card of the Federation, a Federation expense allowance, and Federation employees in his behalf prior to the Democratic Caucus meeting at Salem State College in Salem Massachusetts and during the day of the caucus meeting. Potential witnesses to the use of staff may be elicited from Federation employees, Ms. Joan Buckley, Mr. Jay Porter, and Mr. Robert Marland. New England Telephone Company records will verify

phone use and Mr. Devlin's expense records with the Federation will verify expense allowances.

Members of the executive board, Mr. Peter Shelton and Mr. Frederick Driscoll and others were campaigning and present at the caucus meeting on Mr. Devlin's behalf.

The Federal Election Commission should be aware that these charges are only the "tip of the iceberg". Mr. Devlin and the executive board are presently under investigation by the American Federation of Teachers for violations of the Labor-Management Disclosure Act and the established policies of the Federation. We and other union members are presently filing with the United States Secretary of Labor a charge that the executive board in collusion with Mr. Devlin did by illegal use of Federation funds (the origins of which is member's dues) violate the provisions of the Labor-Management Disclosure Act. Further we and other union members consider the Constitution and/or Bylaws of our Federation to be a good faith contract between the Massachusetts Federation of Teachers and each member of the Federation which has been violated by the executive board and Mr. Devlin in that board members with agreement with Mr. Devlin have been using

Donald A. Papadopoulos

Billerica Federation of Teachers, Local 1577,

AFT, AFL-CIO the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

9 Locust St.  
Salem, MA 01970

Sworn before me this 5th day of May 1980  
James D. Abene, Notary Public  
My commission expires September 18, 1986.

Steve J. Casaly

Chelsea Teachers Union, Local 1340, AFT, AFL-CIO,

the aforesaid is true according to my knowledge and therefore, I accordingly

in good faith swear to the veracity of its content.

107 WOODLAWN ST.  
EVERETT, MA. 02149

Sworn before me this 5th day of June 1980  
Gordon J. Francis - Notary Public  
My term expires 5-11-84

Margaret L. Greshy  
Granite Union

Chelmsford Federation of Teachers, Local 3569,

AFT, AFL-CIO, the aforesaid is true according to my knowledge and therefore, I

accordingly in good faith swear to the veracity of its content.

10 South Street, Chelmsford, Massachusetts 01824  
10 South Street, Chelmsford, Massachusetts 01824

Sworn before me this 5th day of  
June, 1980  
William P. Proffman,  
Notary Public -

30040221706



Exhibit 2(c)



UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ELECTION COMMISSION

TO THE GENERAL COUNSEL OF  
THE FEDERAL ELECTION COMMISSION  
CHARLES N. STELL

\*\*\*\*\*

COMPLAINT AND REQUEST FOR AN  
INVESTIGATION FOR VIOLATION OF  
2 USC 441b IN THE MATTER OF:

CHELSEFORD FEDERATION OF  
TEACHERS LOCAL 3569  
AFT, AFL-CIO

BILLERICA FEDERATION OF  
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CHELSEA TEACHERS UNION  
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LOCAL 1037, AFT, AFL-CIO

VS

MASSACHUSETTS FEDERATION OF TEACHERS EXECUTIVE BOARD  
AND  
ONE PAUL L. DEVLIN

JUNE 2, 1980

\*\*\*\*\*

Exhibit 3(a)

## PRELIMINARY STATEMENT

The Massachusetts Federation of Teachers is a federation of approximately forty labor unions. The Federation has its headquarters located at 114 Western Avenue, Lynn, Massachusetts 01904 (telephone 1-617-599-6800)

The Federation executive board has the power to carry on all the business affairs of the organization. The executive board is composed of a president and twenty vice presidents; these officers are elected by delegates from locals of the Federation every two years (see Exhibit I Bylaws of the Massachusetts Federation of Teachers p 8 & 9).

The complainants of these charges are all citizens of the United States of America and members in good standing of locals which are affiliated with the Massachusetts Federation of Teachers

## THE CHARGES

It is with deep regret that we the under signed make the following charges. However, we are responsible citizens and dedicated teacher unionists who are militant in our concern that the federal election processes and our labor organization be maintained with integrity; we now request that the Federal Election Commission in order to protect our rights as American citizens and to safeguard and preserve the democratic processes of our union investigate the following charges that the Massachusetts Federation of Teachers Executive Board and one Paul L. Devlin, Associate Executive Secretary did knowingly and willingly commit unethical practices in violation of Federal Election Law:

2 United States Code 441b:

441b Contributions or expenditures by national banks, corporations, or labor organizations

(a) It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure

in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section, or any officer or any director of any corporation or any national bank or any officer of any labor organization to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section.

(b) (1) For the purposes of this section the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work

(2) For purposes of this section and section 791(h) of Title 15, the term contribution or expenditure shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, but shall not include (A) communication by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject; (B) nonpartisan registration get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organization aimed at its members and their families; (C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

(C) It shall be unlawful--

(A) for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction;

(B) for any person soliciting an employee for any contribution to such a fund to fail to inform such employee of the political purposes of such fund at the time of such solicitation; and

(C) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee, at the time of such solicitation, of his right to refuse to so contribute without any reprisal

(4) (A) Except as provided in subparagraphs (B), (C), and (D), it shall be unlawful--

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than its stockholders and their families and its executive or administrative personnel and their families, and  
(ii) for a labor organization, or a separate segregated fund established by a labor organization, to solicit contributions to such a fund from any person other than its members and their families.

(3) it shall not be unlawful under this section for a corporation, a labor organization, or a separate segregated fund established by such corporation or such labor organization, to make 2 written solicitations for contributions during the calendar year from any stockholder, executive or administrative personnel, or employees of a corporation or the families of such persons. A solicitation under this subparagraph shall be made only by mail addressed to stockholders, executive or administrative personnel, or employees at their residence and shall be so assigned that the corporation, labor organization, or separate segregated fund conducting such solicitations cannot determine who makes a contribution of \$50 or less as a result of such solicitations and who does not make such a contribution.

(C) this paragraph shall not prevent a membership organization, cooperative, or corporation without capital stock, or a separate integrated fund established by a membership organization, cooperative as a fund from members of such organization, cooperative, or corporation without capital stock.

The substantial nature of the charges is as follows:

At a formal monthly meeting of the Massachusetts Federation of Teachers executive board in March, 1980, the board voted its support and the Federation resources were put at the disposal of one Mr. Paul L Devlin to assist Mr Devlin's candidacy to become an elected delegate to the 1980 Democratic National Convention. Prior to taking a voice vote on the matter and at the aforesaid meeting a discussion on the matter was had. The executive board discussed with Mr Devlin what kind of aid he would need and he responded by making a reference to 'hard money versus soft money' and the use of secretarial help in preparing campaign literature (see Exhibit II a campaign flyer produced in Federation headquarters by Federation secretarial staff).

help was an unethical practice; they were told that supporting his candidacy with Federation resources and materials put him at an unfair advantage over other union members who have little or no resources and may be desirous of running for delegate from the sixth Congressional district. Executive officers, executive board members and a staff union representative were present when Associate Executive Secretary

JOHN J CARPENTER, also an attorney, gave the board the aforesaid warning. No response was made to the warning and immediately the board voted to help Mr Devlin's candidacy.

Mr. Devlin used a Federation staff vehicle, a telephone credit card of the Federation, a Federation expense allowance, and Federation employees in his behalf prior to the Democratic Caucus meeting at Salem State College in Salem Massachusetts and during the day of the caucus meeting. Potential witnesses to the use of staff may be elicited from Federation employees, Ms. Joan Buckley, Mr. Jay Porter, and Mr. Robert Harland. New England Telephone Company records will verify

phone use and Mr Devlin's expense records with the Federation will verify expense allowances.

Members of the executive board, Mr Peter Whelton and Mr Frederick Driscoll and others were campaigning and present at the caucus meeting on Mr Devlin's behalf

The Federal Election Commission should be aware that these charges are only the "tip of the iceberg" Mr Devlin and the executive board are presently under investigation by the American Federation of Teachers for violations of the Labor-Management Disclosure Act and the established policies of the Federation. We and other union members are presently filing with the United States Secretary of Labor a charge that the executive board in collusion with Mr Devlin did by illegal use of Federation funds (the origins of which is member's dues) violate the provisions of the Labor-Management Disclosure Act. Further we and other union members consider the Constitution and/or Bylaws of our Federation to be a good faith contract between the Massachusetts Federation of Teachers and each member of the Federation which has been violated by the executive board and Mr Devlin in

year period, against long standing union policy, general funds of the Federation to pay their local union legal expenses. Said expenses are normally incurred by local unions from local treasuries. Southeastern Regional Vocational School (Board member Matthew Foley), Salem Teachers Union (Board member Gaynor Riley), New Bedford Paraprofessionals Local (by agreement with Paul L. Devlin), the Springfield Federation of Teachers (Board member Martin Manoojian) all among locals of other board members have been draining the general funds of the state Federation for expenses which local unions which have no board representation pay in the normal course of administration of collective bargaining agreements. These matters are currently being brought before proper legal forums for redress but we want the Commission to be aware of the corrupt practices of our executive board and Mr Paul L Devlin.

Upon investigation the Federal Election Commission will find willing testimony from Federation employees and union members who were present when the aforesaid events occurred and possesses documentary evidence substantially all charges.

It is imperative that the Commission act quickly in that records of the Federation are being scrutinized by some of those who may be conspirators in the aforesaid violations and we worry that records may be altered, destroyed or hidden by those who are in power and may deem this best interest to cover up the true record.

, Lynn Teachers Union, Local 1037, AFT, AFL-CIO,  
the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

Donald A. Popper

, Billerica Federation of Teachers, Local 1677,

AFT, AFL-CIO the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

9 Locust St.

Salem, MA 01970

Sworn before me this 5th day of May 1980  
Thomas D. O'Brien, Notary Public  
My commission expires September 19, 1986

Kevin J. Casaly

, Chelsea Teachers Union, Local 1340, AFT, AFL-CIO

the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

107 WOODLAWN ST.

EVERETT, MA. 02149

Sworn before me this 5th day of June 1980  
Anthony J. Frasca - Notary Public  
My comm expires 5-11-84

Margaret L. Frasca  
Grace M. Dunn

Chelmsford Federation of Teachers, Local 3569,

AFT, AFL-CIO, the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

10 Smith Street, Chelmsford, Massachusetts 01824

10 Smith Street, Chelmsford, Massachusetts 01

Sworn before me this 5th day of  
June, 1980

William P. Soffman  
Notary Public -

30010221715

JAMES COOPER, ESQ.

MASS STATE LABOR RELATIONS COMMISSION

100 CAMBRIDGE STREET

Boston, MASSACHUSETTS



11 PM



# Teachers Voice

Boston MTA-NEA

Vol. I, No. 2

June 1980

## Not Enough Isn't Good Enough

Vol. I, No. 1 of this newsletter, MTA-NEA announced that it was voluntarily suspending its campaign to collect signatures and petition for a representational election against the Boston Teachers Union (BTU/MFT-AFT/AFL-CIO). As we wrote in that issue:

The MTA-NEA Organizing Committee has concluded . . . that *nothing must be permitted to divert BTU/MFT-AFT's attention* — in even the slightest way — *from the overriding task at hand*. That task is to *save the jobs of Boston teachers*.

We also put the BTU on notice: Its responsibility to the teachers of Boston was both to preserve jobs and to negotiate a reasonable salary increase. The second part of that injunction is even more controlling today than it was four months ago. With inflation edging up at an unprecedented 20 percent a year, Boston teachers deserve a very hefty pay hike.

Four months later, we have still *heard nothing* from BTU about the progress of negotiations — or even about the lack of progress. Look, for example, at the June 1980 issue of the *Boston Union Teacher*, the BTU newspaper. There are stories about nearly everything — even the "Summer Olympics" — but not a single report about the contract talks between BTU and the school committee.

From sources within both the BTU and the school department, the MTA-NEA Organizing Committee knows that the negotiations are going very poorly. That is no surprise. As we warned last February:

The times we're in are *not normal* . . . they are, rather, the most perilous that teachers in Boston have ever faced.

Even the difficulties of negotiating a contract this year — difficulties compounded of the inflationary spiral, the growing recession, and complaints that our schools are "over-staffed" in the light of declining enrollments — the BTU needed massive assistance in order to win its bargaining demands — that is, *our* personal and professional needs. One reason for the BTU's troubles is that such help is not available from the Massachusetts and American Federation of Teachers

(MFT-AFT), BTU's parent organizations. Instead, those unions are spending the dues of teachers — and the agency fees paid by teachers — to organize non-school workers.

BTU leaders *knew*, however, that they would receive no help from MFT-AFT; and surely they must have planned their negotiations strategy with that recognition in mind.

What concerns the MTA-NEA Organizing Committee is that BTU's hierarchy has ignored the one great resource that it does possess. That resource is *us* — the teachers of Boston. Informed and mobilized, we are a force that no school committee member could dismiss out-of-hand. Uninformed, however, and uncalled-upon, we are a resource — a source of strength — that will be *wasted*.

Ignoring the city's teachers and then, at the last moment, calling upon us to ratify a substandard contract — or to walk off our jobs on strike — is the way that the BTU hierarchy has *always* played it. Everything is kept close to the vest; even the most basic information is kept within the clique that runs the BTU.

But the point of our February message was that "business as usual" is unacceptable this year.

To date we have not been given enough information; in fact, we have been given *virtually no* information at all. And we put BTU's leaders squarely on notice: Unless you start playing fair and open with us, you will have no right to expect any support whatever from the teachers of this city.

As we wrote in February:

If September comes and BTU/MFT-AFT hasn't done the job it should have done, the MTA-NEA Organizing Committee will still be here — prepared to give the teachers of Boston the more effective representation they deserve.

September is very close now. Our personal and professional well-being — and our jobs themselves — are at stake. The BTU doesn't have much time. We give that union one last chance.

# Springfield Teachers Stand Tall, Win with MTA-NEA

Last October, when MTA-NEA ousted BTU's sister union in Springfield as collective bargaining agent for that city's 1,800 teachers, Association leaders knew they were in for a hard round of contract talks.

Ten years of negotiating with BTU's sister union had led the city and the school committee to look upon teachers as "push-overs," local MTA-NEA president Janice Kisilus observed. During the MFT-AFT's tenure, teacher salaries in Springfield had fallen further and further behind: From first place in Western Massachusetts in 1970, they had dropped into the lowest quartile. Just after year the MFT-AFT local settled for grossly substandard pay increases. In September 1979, for example, MFT-AFT "won" a mere 2.1 percent wage hike for the city's teachers. A principal reason was that MFT-AFT, overextended financially by their campaigns to organize non-school workers, were unable to provide negotiations research or other assistance to their Springfield local. As a result, BTU's sister union left over \$5.5 million on the bargaining table — that is, was unaware that the school committee had surpluses of \$5.5 million that could have been used for salaries.

But had the MFT-AFT local produced on the many and handsome promises it had made, in 1970, to win bargaining rights in the first place. One of those promises had been to win preparation time for elementary teachers. Almost ten years after vowing to obtain such time, MFT-AFT had still not negotiated a full minute for any of the teachers.

When the MTA-NEA local sat down with the school committee's representatives for the first time, they felt as if "we were being treated like a joke ... Management's negotiators suggested that 'teachers are easy.'" The teacher team, supported by MTA-NEA professionals, resolved not to "be easy."

Months of hard, eyeball-to-eyeball bargaining followed. The school committee, expecting the MTA-NEA group to "fold," as the MFT-AFT local had always done, refused adamantly to give in on any of the teachers' contract demands. The school committee stonewalled, practically daring the teachers to put the muscle of a strike behind their insistence upon higher salaries and other contractual improvements.

On April 28th, provoked beyond reason, the teachers did vote to walk off their jobs. The strike was overwhelmingly effective; that is, almost no one crossed the MTA-NEA picket-lines.

Even the most hard-core MFT-AFT partisans were impressed by the support MTA-NEA provided during the strike — support aimed at ending the walkout, winning a good contract, and getting the teachers back to their classrooms. "[BTU's parent] union could never have given us the assistance that MTA-NEA did," a one-time officer of the Springfield MFT-AFT local pointed out.

The teachers were out for just 14 days, a "short" period compared to strikes by AFT locals in other cities. (Earlier in the 1979-80 school year, the AFT local in Cleveland was on strike for 55 days and the AFT local in Daly City, a suburb of San Francisco, was on the picket-lines for 45 days. The previous year AFT members in Levittown, New York, lost 86 days' pay for a 43-day walkout — and then received *no pay hike* in the first year of a four-year agreement.)

When the Springfield strike was over, the city's teachers realized their first major contract gains in more than ten years. Elementary teachers finally won their preparation time — 30 minutes a week the first year, 60 minutes the second. Maximum class size was reduced by two students. Salary hikes totalling 11.5 percent over the two-year life of the agreement were obtained; coaching and other stipends rose better than 10 percent in the first year alone.

"We had just about given up believing that *any* organization could make a difference," a rank-and-filer admitted, "but now we see that unions [MTA-NEA] that are devoted to teachers alone really can make a difference."

How widespread is that opinion? Membership figures are probably the best evidence. When it won bargaining rights last October, the MTA-NEA local enrolled just 400 members. Today more than 1,300 teachers belong to the Springfield MTA-NEA — and that figure is at least 350 more than ever joined the MFT-AFT group in its entire ten-year history as the teachers' bargaining agent.

For many years BTU leaders argued that Boston teachers should not have to pay all the dues required of AFT affiliates: MFT, AFT, state AFL-CIO, and national AFL-CIO. Some of those unions were worthless to us, they insisted. Then the New York group got control of the AFT — and our paychecks have been a little lighter ever since.

If everyone had to pay those extra dues, we wouldn't have so much reason to complain. We've just learned, however, that nearly half of all the AFT locals in Florida are exempted from both national AFT dues and state and national AFL-CIO dues. That isn't fair; and we think the whole question of mandatory MFT-AFT-AFL-CIO dues should be reopened.

## NEA Sets Record in Democratic Delegates

More than 10 percent of all the delegates to the 1980 Democratic National Convention will be NEA members, according to an Associated Press survey completed just prior to the June 3rd primaries in California and seven other states.

As of the end of May, and with 30 of the 50 states reporting, 231 NEA members had won delegate seats and another 126 had been elected alternate delegates to the New York City meeting.

Projections are that the NEA total will exceed 500 once all the states have completed their delegate-selection caucuses: about 350 of the NEA members will be full delegates.

In Massachusetts, where MTA supported the candidacy of Sen. Edward M. Kennedy, MTA-NEA members have won nine delegate posts and six alternate seats. Two of the delegates and four of the alternates are pledged to President Carter, the others to Kennedy.

(Unlike the national AFL-CIO, which threatened to suspend its state affiliate for supporting Sen. George McGovern in 1972, NEA does not — and can not — require its state affiliates to follow "the party line.")

NEA's delegate total will give it more votes than any other organization in choosing the Democratic Party's standard-bearers and in setting its policies. In 1976 — with barely half the number

of delegates it has elected this year — the NEA outnumbered all other labor organizations, and sent more delegates to the Democrats' convention than all AFL-CIO unions put together. This year, NEA is expected to end up with *twice* as many delegates as the AFL-CIO.

"It isn't any wonder that NEA has been able to get so much favorable legislation through Congress," a leading Senator told the *Washington Post*. "One thing we politicians know how to do is count votes."

That ability to "count votes" explains why the NEA was able to whip the AFT — and the AFL-CIO — and to win a separate, Cabinet-level Department of Education last year, and also why NEA has won a 60 percent increase in federal aid to education over the past four years.

"There are probably 20 Senators who've got their eyes on the Presidency, and at least that many Representatives, not to speak of Governors, and they're all looking at that huge bloc of NEA delegates," the *Post* noted.

(Incidentally, not one penny of NEA money has been used to elect any of these delegates — a refreshing contrast to the MFT-AFT's practice. See story, page 4.)

## Teachers Will Gain with MTA-NEA Welfare Fund

In meetings with teachers — BTU members as well as agency fee payers — one of the questions most frequently asked of MTA-NEA representatives is: "When the Association replaces BTU as our collective bargaining agent, what will happen to the insurance coverage now provided by the Health and Welfare Fund?"

The simplest and most direct answer is this: "MTA-NEA guarantees that Boston teachers will obtain *broad* coverage and *higher* benefits once the Association represents us."

Actually, MTA-NEA are in a very strong position. MTA now enrolls nearly 66,000 members, NEA over 1,750,000. BTU's parent bodies, MFT and AFT, are at 11,000 and 430,000 members — and about a fifth of the national AFT's members have nothing to do with education. Through MTA-NEA, in short, a local teachers' organization can buy superior coverage for less money — and far superior coverage for the same

amount or an even higher contribution from the school committee. And it would be MTA-NEA's intent to negotiate a *higher* figure from the school department.

MTA-NEA would also improve our coverage by *cutting down on overhead*. A short while back the Fund's administrators spent upwards of \$1 million in redecorating their offices. That money could have been used to *improve* benefits for Boston teachers, and, in MTA-NEA's judgment, it *should* have been used for that purpose. In fact, MTA-NEA's philosophy differs markedly from the BTU/MFT-AFT/AFL-CIO view of such things. MTA-NEA considers every penny that the school committee puts into the Health and Welfare Fund to be money that teachers have voluntarily foregone in salary; that is, we have *chosen* for our money to be put into insurance coverage instead. It should, therefore, be used to give us the "broader coverage and higher benefits" to which MTA-NEA is pledged.



## BTU's Sister Unions Charge MFT with 'Corruption'

Three of the Boston Teachers Union's sister locals have filed suit against their — and the BTU's — parent organization, the Massachusetts Federation of Teachers, AFT/AFL CIO, for "collusion," "corruption," "conspiracy," "unethical practices," and "illegal misappropriation of union dues."

The complaint, filed on June 5, 1980, with the Federal Elections Commission (FEC), alleges that the MFT executive board and MFT associate executive secretary Paul Devlin "did knowingly and willingly commit unethical practices in violation of federal election law [U.S. Code 441b]."

According to the suit, the executive board used the dues and agency fee payments of Boston teachers — and other MFT members — to give Devlin "an unfair advantage over other union members" in his campaign for election as a delegate to the 1980 Democratic National Convention. According to the charges, Devlin was permitted to use his MFT-leased car to tour the Lynn Congressional District in search of votes; was allowed to make campaign telephone calls charged to the MFT; put campaign costs on his union expense account, and exploited other MFT staff employees — who should have been working for teachers — by assigning them to work for his election instead.

Devlin, a long-time MFT staff employee, is also a vice-president of the national AFT, a union controlled not by teacher-members but by its own professional staff. Of the 31 members on the AFT executive council, fully 17 are on the payroll of the AFT or an affiliated union (at time.)

The charges were brought by the MFT-AFT/AFL CIO affiliates in Billerica (MFT-AFT Local 1677), Melmsford (Local 3569), and Chelsea (Local 1340).

The Lynn union (Local 1037) was also listed on the papers, but no Lynn representative had yet signed the complaint.

According to the charges, the national AFT is also investigating the MFT and Devlin "for violations of the [federal] Labor Management Reporting and Disclosure Act." The three MFT AFT locals also warn that the FEC violations are "only the tip of the iceberg" — that the MFT executive board is guilty of many other mis-uses of teacher dues and agency fee payments. According to the suit, teachers in Boston — and elsewhere — have been sending money to MFT which the state union has then used to pay legal bills contracted by the locals to which executive board members belong — a violation of a "long-standing union policy."

The three MFT-AFT locals condemn the "corrupt practices of our [MFT] executive board" and warn that the FEC needs to act promptly to bring the MFT leaders to the dock. They are "conspirators," the locals charge, and unless they are quickly restrained, "[MFT] records may be altered or destroyed."

Over the years, most MTA-NEA leaders and other members have objected strenuously to the corrupt practices associated with self-perpetuating union bureaucracies, like those of the MFT and AFT. The Association itself has acted to prevent such unethical behavior by drawing a heavy line between members and their *elected* leaders, on the one hand, and *staff employees* on the other. The "balance of power" thus achieved has helped to guarantee that every penny MTA-NEA members pay in dues (and agency fees) is used to *help teachers* and schools, rather than to help union employees advance their personal careers — as, by winning election to the national AFT executive board and to the Democratic National Convention.

Boston Teachers Voice MTA-NEA  
735 Morrissey Blvd.  
Boston, MA 02122

ANGOFF, GOLDMAN, MANNING, PYLE & WANGER, P.C.  
Counsellors at Law

44 SCHOOL STREET

BOSTON, MASSACHUSETTS 02118

(617) 723-5500

ALBERT L. GOLDMAN  
ROBERT D. MANNING  
WARREN H. PYLE  
E. DAVID WANGER  
JOHN F. McMAHON  
JOANNE F. GOLDSTEIN  
JONATHAN P. HIATT  
ELIZABETH A. KOVALCIC  
DAVID B. ROME  
HOWARD B. LENOW

SAMUEL E. ANCOFF  
Of Counsel

SIDNEY S. CRANT  
(1929-1957)

September 11, 1980

Charles N. Steele, Esquire  
General Counsel  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 1246 and MUR 1251

Dear Mr. Steele:

Massachusetts Federation of Teachers and its executive board respondents in MUR1246 consent to immediate publication of the Commission's determination on September 2, 1980, and the closing of its file in that matter.

My clients inquire as to the status of the Federation's Complaint in MUR1251 against the Massachusetts Teachers Association, NEA and four (4) named individuals.

Very truly yours,

*John F. McMahon*  
John F. McMahon

JFM/keb

cc: Paul Devlin

10 SEP 15 AM 11:37

RECEIVED  
SEP 15 1980



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 4, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

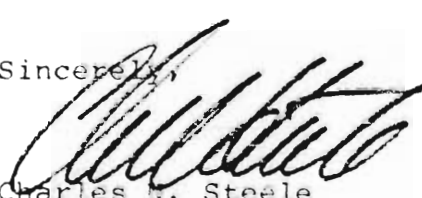
John F. McMahon  
ANCOFF, GOADMAN, MANNING  
PYLE & WANGER, P.C.  
44 School Street  
Boston, Massachusetts 02108

Re: MUR 1251

Dear Mr. McMahon:

In confirmation of your telephone conversation of July 14, 1980, with R. Lee Andersen, I am sending you this letter to memorialize his statement to you that the Massachusetts Teachers Association has been made a respondent in this matter. Inadvertently, the notification letter which you received simply failed to so state. If you have any further questions regarding this matter, please contact Mr. Andersen, the attorney assigned to this matter at (202) 523-5071.

Sincerely,

  
Charles W. Steele  
General Counsel

PS Form 3811, Jan. 1979

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one.) <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> Show to whom, date and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery.	
(CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: John F. McMahon 55 School Street Boston, Massachusetts 02108	
3. ARTICLE DESCRIPTION: REGISTERED NO. 945712	INSURED NO.
I have received the article described above. SIGNATURE [Signature] ADDRESS [Address] District agent	
4. DATE OF DELIVERY: 8-11-80	POSTMARK
5. ADDRESS (Complete only if registered)	
6. UNABLE TO DELIVER (Initials)	
7. CLERK'S INITIALS	

MUR 1251 Initials

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

RECEIVED  
AUG 9 1980

BROWN, RUDNICK, FREED & GESMER

COUNSELLORS AT LAW

ONE FEDERAL STREET, BOSTON, MASS. 02110

TELEPHONE: (617) 542-3000 • CABLE: LAWFIRM BOSTON

PETER B. FARROW  
DANIEL D. SULLIVAN  
ROY D. TOULAN, JR.  
DAVID G. STERN  
ROBERT E. BROOKS  
HARRY M. GROSSMAN  
M. ROBERT GUSHMAN  
GEORGE L. GOCHROS  
TUCKER DRUMMOND  
DAVID J. TRACY  
JOSEPH F. RYAN  
JOHN ACHATZ  
HOWARD L. LEVIN  
STEPHEN A. HANTMAN  
BARBARA A. LENK  
LOUIS C. MILLER  
MARILYN D. STEPLER  
SHARON GODDARD WHITE

OF COUNSEL  
JOHN F. COLLINS

MATTHEW BROWN  
ALFORD P. RUDNICK  
HIRSH FREED  
HENRY GESMER  
EDWARD SCHNEIDER  
AARON J. BRONSTEIN  
MARVIN N. GELLER  
JACK H. CALECHMAN  
DONALD E. PAULSON  
KENNETH A. KORB  
PETER D. GENS  
LAWRENCE M. LEVY  
STEPHEN WOLFBERG  
PHILIP C. SCHNEIDER  
M. FREDERICK PRITZKER  
JOEL M. RECK  
ANDRE C. JASSE, JR.  
JEFFREY M. FREEDMAN  
CARLE AXELROD  
GERALD P. TISHLER  
SHELDON M. DRUCKER

July 31, 1980

Office of General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: Massachusetts Federation of Teachers  
Vs: Cassidy, et al  
M.U.R. 1251

ATTN: LEE ANDERSON, ESQUIRE

Dear Mr. Anderson:

We represent the respondent, Massachusetts Teachers Association (the "MTA") in the above matter. We do not represent any of the other defendants. This letter is in response to your notice of July 7, 1980, which was received by the MTA on July 10, 1980.

The MTA does not admit any of the allegations contained in the complaint filed by the Massachusetts Federation of Teachers. However, for the purpose of this response only, I will assume that the allegations directed against the MTA are accurate. Even accepting those allegations, no action should be taken against the MTA for the following statutory and constitutional reasons.

First, the prohibition in 2 U.S.C. §437g(a)(12)(A) is against making public any notification or investigation undertaken by the Commission under the Federal Election Campaign Act. The MTA did not make the notification and investigation public. As the MTA was not a party to that action, the complaint (M.U.R. 1246) became public when the MTA received it or became aware of it.

There is no allegation in the MFT complaint that the MTA solicited the complaint in M.U.R. 1246 or that it obtained it unlawfully or feloniously. Nor is it alleged that the MTA conspired or acted in concert with the other defendants. Therefore, the MTA did not make it public

28 38 1701

Office of General Counsel  
Page Two  
July 31, 1980

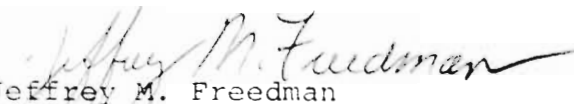
because the "notification or investigation" was already public when allegedly published by the MTA.

Second, 2 U.S.C. §437g(a)(12)(A) further requires that "[a]ny notification or investigation made under the section shall not be made public . . ." In addition to the fact that the material was already public when received by the MTA, the MTA did not make public the "notification" or "investigation." The story allegedly published in a MTA newsletter did not mention the notification or a possible F.E.C. investigation of the M.F.T.

Third, the statute unconstitutionally limits the MTA's First Amendment rights of freedom of speech and press. If this same information were published by the New York Times, assuming it was obtained lawfully, the newspaper could not be prosecuted therefor. See, New York Times Co. v. U.S., 403 U.S. 713 (1971). The same principles apply to the MTA's newsletter.

Please consider this letter as our appearance for the MTA and address all future correspondence to the undersigned as its attorney.

Very truly yours,

  
Jeffrey M. Freedman

JMF/amt

JMF

BROWN, RUDNICK, FREED & GESMER

ONE FEDERAL STREET

BOSTON, MASS. 02110



Office of General Counsel  
Federal Election Commission  
Washington, D.C. 20463

100 AUG 1 PM 12:53

RECEIVED

3034922171

10 Smith Street  
Chelmsford, Massachusetts  
July 28, 1980

Mr. Charles N. Steele  
General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Dear Mr. Steele:

Upon receipt of your letter dated July 7, 1980 concerning the matter, MUR 1251, I wish to make the following statement:

Relative to MUR 1246, I deny all allegations made in complaint MUR 1251. I have never violated the law, I have never distributed any documents relative to MUR 1246, and I have never knowingly and willfully made false and fictitious representations in complaint MUR 1246.

I received your letter on July 28, 1980.

Respectfully,

Marianne J. Parsky

Commonwealth of Massachusetts

Wickliffe, & S.

July 28, 1980

Then personally appeared before me the above-named, Marianne J. Parsky and acknowledged this document to be her true act and deed.

William P. Saffaras  
Notary Public  
My Commission expires March 7, 1980



W. J. Forester  
10 Smith Street  
Chelmsford, Massachusetts

RECEIVED

AUG 1 PM 12 24

Mr Charles M. Steele  
General Counsel  
Federal Election Commission  
Washington, D.C. 20543

**CERTIFIED**

No. 0023469

**MAIL**

**RETURN RECEIPT  
REQUESTED**

958387  
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JUL 31 PM 2:28  
10 Smith Street  
Chelmsford, Massachusetts  
July 28, 1980  
GCO# 01824  
5144

Mr. Charles N. Steele  
General Counsel  
Federal Election Commission  
Washington, D. C. 20463

20 JUL 31 PM 4:48  
OFFICE OF THE  
FEDERAL ELECTION COMMISSION

Dear Mr. Steele:

I, Grace M. Dunn, deny all  
allegations made in MUR 1251 relative  
to MUR 1246. I never violated  
the law and in no manner  
whatsoever distributed any documents  
relative to MUR 1246 or knowingly  
and willfully made false representations.

Sincerely,  
Grace M. Dunn

Commonwealth of Massachusetts July 28, 1980

Then personally appeared before me the above-named  
Grace M. Dunn and acknowledged this document to be  
her true act and deed.

William P. Taffarac  
Notary Public  
My Commission Expires March 5, 1987

Grace M. Dunn  
10 Smith Street  
Chelmsford, Massachusetts 01824

CERTIFIED

No. 0023470

MAIL

Mr. Charles N. Steele  
General Counsel  
Federal Election Commission  
Washington, D. C. 20463

RETURN RECEIPT  
REQUESTED

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RECEIVED

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909065

80 JUL 25 PM 1:08

Re: MUR 1246

MUR 1251

July 18, 1980

Charles N. Steele, Esq.  
General Counsel

Federal Election Commission  
Washington, D. C.

30 JUL 25 P2:43

Dear Mr. Steele,

I am a school teacher and a labor unionist;

I am attempting to stop those individuals named in MUR 1246 from continuing to operate (attend the National Democratic Convention) in violation of the law and my rights as a union member.

Relative to the complaint, MUR 1251, I deny all its allegations.

The fact that Mr. Paul Devlin and the Federation Executive Board were in violation of FEC and LMDRA laws was public knowledge and widely discussed by delegates at the Federation annual convention the evening of the annual meeting, May 16, and during the convention proceedings on May 17 (see enclosure: a copy of charges which was seen by all delegates and which was an attempt to thwart Mr. Devlin's election campaign)

I sent no copies of FEC charges to anyone. When the charges were made to the FEC they were also given to the Federation Executive Board (a 21 member body). As I read the law, it never mentions letting people know that charges were made by union members. The law, as I see it, says that once your agency notifies the parties of an investigation, matters become confidential. Any executive board member of the federation or even Mr. Devlin, himself, could have distributed charges.

MUR 1251 states that we knowingly and willingly made false charges on pages 3 and 4. I was an executive board member present at the meeting along with Mr. Donald Pofcher when without debate and after objections

were made by attorney Jack Carpenter (the Associate Executive Secretary of the MFT in charge of legal and legislative affairs), the Executive Board voted the use of union resources for Mr. Devlins campaign. You nee only contact the following people, who also were present at the meeting, for substantiation of the charges:

Frank Martin, Executive Secretary  
Sunsurf Ave  
Little Boars Head  
Hampton, New Hampshire (Tel: 603 926 8015)

John J. Carpenter, Associate Executive Secretary  
258 Somerville Ave  
Somerville, Massachusetts (Tel: 617 666 3123)

Ms Virginia Pavlis, Associate Executive Secretary  
114 Western Ave  
Lynn, Massachusetts (Tel: 617 599 6800)

Other employees who were put to work on Mr. Devlins campaign (making flyers etc. and representing him at the caucus). These individuals are reacheable at the Federation office in Lynn, Massachusetts. They are:

Ms. Virginia Pavlis  
Ms. Kay Brown  
Ms. Terry Graham  
Ms Joan Buckley  
Mr. Jay Porter  
Mr. Robert Marland

Can you tell me if the FEC investigation will be completed before the Democratic National Convention? If the Executive Board and Mr. Devlin are found in violation of FEC laws will he be allowed to attend the Convention?

Very truly yours,

Kevin J. Cassidy

*Kevin J. Cassidy*

*July 22, 1980*

*Edward F. Donovan*

300010221710

'00 JUL 25 PM 1:08

WE the undersigned members in good standing of the Massachusetts Federation of Teachers respectfully request the Secretary of Labor under Title IV of the Labor-Management Reporting and Disclosure Act in order to protect us under the law and safeguard and preserve the democratic processes of our union investigate our charge that the state executive board of the Massachusetts Federation of Teachers by votes at formal monthly board meetings and through malfeasance in office as board members are in violation of 29 UNITED STATES CODE 482, Section 401( UNION MEMBERS BILL OF RIGHTS ).

The executive board by its acts did not and currently does not recognize that every member of our union has equal rights and privileges to participate in free union elections.

The executive board of our union is specifically in violation of Section 401 (g) of the aforesaid UNITED STATES CODE:

"NO MONEYS RECEIVED BY ANY LABOR ORGANIZATION BY WAY OF DUES, ASSESSMENTS, OR SIMILAR LEVY, AND NO MONEYS OF AN EMPLOYER SHALL BE CONTRIBUTED OR APPLIED TO PROMOTE THE CANDIDACY OF ANY PERSON IN AN ELECTION SUBJECT TO THE PROVISIONS OF THIS TITLE. SUCH MONEYS OF A LABOR ORGANIZATION MAY BE UTILIZED FOR NOTICES, FACTUAL STATEMENTS OF ISSUES NOT INVOLVING CANDIDATES, AND OTHER EXPENSES NECESSARY FOR THE HOLDING OF AN ELECTION."

We charge that on at least four occasions the Massachusetts Federation of Teachers Executive Board contributed cash (the origin of which is union dues) to promote the candidacy of one Paul Devlin, a union member and an employee of the union. His candidacy in three instances was and currently is for union elected office: once as Vice-president of the American Federation of Teachers, once as Vice-president of the Massachusetts State Labor Council, AFL-CIO, and currently as a candidate for president of the Massachusetts Federation of Teachers. Both cash and resources of the union were put at the disposal of Mr. Devlin. On the fourth occasion the executive board at a formal meeting directed that the resources of the union be directed for use by Mr. Devlin in seeking the position of delegate to the 1980 Democratic Party Convention.

30049221732



80040221733

The executive board of our union allowed Mr. Devlin certain hotel, travel, and entertainment expenses and paid him as a union employee while he actively sought the aforesaid union and political offices. These charges can be clearly and convincingly substantiated by the documentary records of the Massachusetts Federation of Teachers (Minutes of executive board meetings---cancelled checks--- and other receipts). 2

At a formal meeting of the executive board on May 10, 1980 the board aided Mr. Devlin's candidacy by granting him an indefinite leave of absence and, therefore, allowing him to remain a union employee while seeking elected union office; this in our view places regular rank and file members at an unfair advantage in view of the fact that presently Mr. Devlin intends to return to active employment as a full time union president, a position which currently does not exist.

Further, upon investigation the Secretary of Labor will find ready and willing testimony from union members who were present when the aforesaid events occurred or possess documentary evidence substantiating all charges.

600# 1981

RECEIVED

July 11, 1980 PM 4:26

0 JUL 21 P12:17

Charles N. Steele, General Counsel  
Federal Election Commission  
Washington, DC 20463

909158

Dear Mr. Steele

Re: MUR-1251

I shall address myself first to the numbered sections of the complaint. 2) I. c. should be 8 Locust St. 2) I. e. I have no agents and/or attorneys, known or unknown. 6) I did not mail copies of MUR-1246 to any person or agency with the exception of the Federal Election Commission. 7-10) I know nothing about these mailings. 11) This paragraph evidently refers to MUR-1246 and it is incorrect to state that the "purpose of the filing was to compromise the MFT as an organization."

12) Pages 3 and 4 of MUR-1246 are correct. The note is also correct. I signed MUR-1246 as a member in good standing of the Billerica Federation of Teachers, Local 1677, AFT/AFL-CIO. Nothing in MUR-1246 in any way suggests that the Billerica Federation of Teachers approved my act.

13-15) I do not know how the Massachusetts Teachers Association received MUR-1246 or any part of it, but I do know the Ralph Devlin, a brother of Paul Devlin, who signed MUR-1251, is employed by the Massachusetts Teachers Association.

I would also note that the date of Paul Devlin's signature is July , 1980, while the date of the Notary Public is June 30, 1980.

Exhibit 1 (b) and Exhibit 2 (b) are defective as Page 1 is missing. These exhibits as well as Exhibit 3 (a) are missing Exhibit II (the campaign flyer for Paul L. Devlin) from MUR-1246.

I was at the MFT Executive Board meeting when we voted to support Paul Devlin as a Kennedy delegate to the Democratic National Convention. I thought that any financial help would have to involve COPE funds. I was also there at the caucus for the Kennedy delegates. Of the staff people at the caucus, Joan Buckley and Robert Marland were from outside the 6th Congressional District.

I believe that MUR-1246 should be judged on its merits. Then let MUR-1251 be judged on its merits.

Sincerely yours,

*Donald A. Pofcher*  
Donald A. Pofcher

8 Locust Street  
Salem, MA 01970

Donald A. Pofcher  
8 Locust St.  
Salem, Mass. 01970



Charles N. Steele, General Counsel  
Federal Election Commission  
Washington, D.C. 20463

RETURN RECEIPT  
REQUESTED

CERTIFIED

1P201 3005 0682

MAIL

000#  
1911

MUR 1251

RECEIVED

66 JUL 14 AM 10:26

ANGOFF, GOLDMAN, MANNING, PYLE & WANGER, P. C.

Counsellors at Law

44 SCHOOL STREET

BOSTON, MASSACHUSETTS 02108

(617) 723-5500

ALBERT L. GOLDMAN  
ROBERT D. MANNING  
WARREN H. PYLE  
E. DAVID WANGER  
JOHN F. McMAHON  
JOANNE F. GOLDSTEIN  
JONATHAN P. HIATT  
ELIZABETH A. KOVALCIK  
DAVID B. ROME  
HOWARD B. LENOW

SAMUEL E. ANCOFF  
Of Counsel

SIDNEY S. GRANT  
(1929-1957)

July 11, 1980

Charles N. Steele, Esq.  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

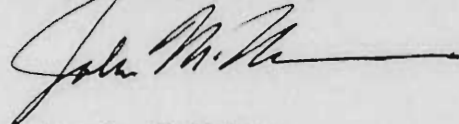
Dear Sir:

On or about July 1, 1980 my client, Massachusetts Federation of Teachers, filed a complaint of violation of the Federal Election Campaign Act by four (4) named individuals (Cassidy, Dunn, Paresky, Pofcher) and the Massachusetts Teachers Association, a rival organization.

I am informed by the Federation that it is in receipt of an acknowledgment of its filing from your agency which describes as the respondents the four (4) individuals but makes no reference to the Massachusetts Teachers Association.

Please note that the caption and Part C, paras. 13, 14 and 15 and Exhibit C set out the independent violations committed by the Massachusetts Teachers Association.

Very truly yours,



John F. McMahon

smf

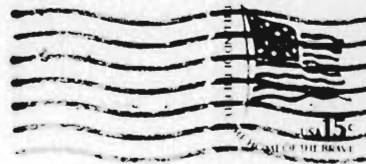
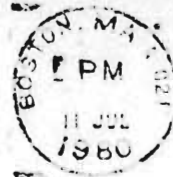
cc: Paul Devlin

81:14 41700 00

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JUL 14 1980  
FEDERAL ELECTION COMMISSION

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ANGOFF, GOLDMAN, MANNING, PYLE & WANGER, P. C.

44 SCHOOL STREET  
BOSTON, MASS. 02108



Charles N. Steele, Esq.  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 7, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Massachusetts Teachers Association  
20 Ashburton Place  
Boston, MA 02108

Re: MUR 1251

Dear Sir or Madam:

This letter is to notify you that on July 2, 1980, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1251. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

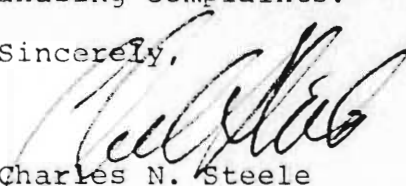
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Letter to: Massachusetts Teachers  
Association

Page Two

If you have any questions, please contact Lee Andersen, the attorney assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure

1. Complaint
2. Procedures

30010221712





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 7, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Grace M. Dunn  
10 Smith Street  
Chelmsford, MA 01824

Re: MUR 1251

Dear Ms. Dunn:

This letter is to notify you that on July 2, 1980, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1251. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.


This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Letter to: Grad M. Dunn  
Page Two

If you have any questions, please contact Lee Andersen, the attorney assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure

1. Complaint
2. Procedures

30010221741



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 7, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Marianne Parefsky  
10 Smith Street  
Chelmsford, MA 01824

Re: MUR 1251

Dear Ms. Parefsky:

This letter is to notify you that on July 2, 1980, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1251. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

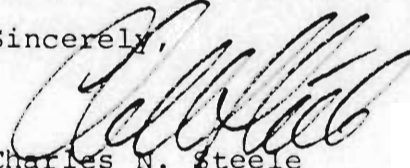
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Letter to: Marianne Parefsky  
Page Two

If you have any questions, please contact Lee Andersen, the attorney assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure

1. Complaint
2. Procedures



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

July 7, 1980

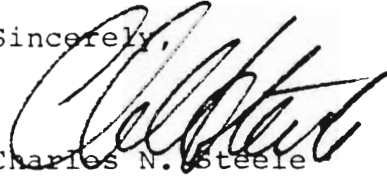
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Paul L. Devlin, President  
Massachusetts Federation  
of Teachers  
114 Western Avenue  
Lynn, MA 01904

Dear Mr. Devlin:

This letter is to acknowledge receipt of your complaint of June 30, 1980, against Kevin Cassidy, Grace M. Dunn, Donald Pofcher and Mariann Parefsky which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent(s) will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification. You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

  
Charles N. Steele  
General Counsel

Enclosure

30010221714



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 7, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Kevin J. Cassidy  
107 Woodlawn Street  
Everett, MA 02149

Re: MUR 1251

Dear Mr. Cassidy:

This letter is to notify you that on July 2, 1980, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1251. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

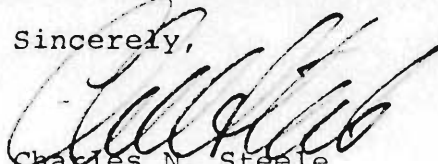
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Letter to: Kevin J. Cassidy  
Page Two

If you have any questions, please contact Lee Andersen, the attorney assigned to this matter at (202) 523-5-71. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure

1. Complaint
2. Procedures

30010201743



UNITED STATES OF AMERICA  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

\* \* \* \* \*

MASSACHUSETTS FEDERATION OF \*  
TEACHERS \*

Complainant \*

v. \*

KEVIN J. CASSIDY, GRACE M. DUNN, \*  
MARIANNE PARESKY and DONALD A. \*  
POFCHER, and their agents \*

and \*

COMPLAINT

THE MASSACHUSETTS TEACHERS \*  
ASSOCIATION \*

Respondents \*

\* \* \* \* \*

Pursuant to 2 U.S.C. Sec. 437g(a)(1) and 11 C.F.R. §114.4(a), Massachusetts Federation of Teachers complains that Kevin J. Cassidy, Grace M. Dunn, Marianne Paresky, Donald A. Pofcher and their agents and attorneys have knowingly and willfully violated 2 U.S.C. Sec. 437g(a)(12)(A) by publicizing and circulating copies of the complaint in MUR-1246 after its filing and that the said respondents Cassidy, Dunn, Paresky and Pofcher have violated 18 U.S.C. Sec. 1001 and 11 C.F.R. §111.4(c) by knowingly and willfully making false and fictitious representations in Complaint MUR-1246.

This Complaint further charges that the Massachusetts Teachers Association, a rival organization, has also publicized

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and disseminated information concerning the Complaint in MUR-1246 in violation of 2 U.S.C. Sec. 437g(a)(12)(A) and 11 C.F.R. §111.4(c).

A. THE PARTIES

1) The complainant is Massachusetts Federation of Teachers, a labor organization consisting of forty (40) local unions affiliated with the American Federation of Teachers, AFL-CIO. Its present address is 114 Western Avenue, Lynn, MA 01904.

2) The respondents are:

- I. a) Kevin J. Cassidy, 107 Woodlawn Street, Everett, MA 02149;
- b) Grace M. Dunn, 10 Smith Street, Chelmsford, MA 01824;
- c) Donald A. Pofcher, 9 Locust Street, Salem, MA 01970;
- d) Marianne Paresky, 10 Smith Street, Chelmsford, MA 01824; and
- e) their agents and attorneys who are presently unknown; and
- II. a) The Massachusetts Teachers Association, National Educational Association, 20 Ashburton Place, Boston, MA 02108

GRAVAMEN

A. THE PUBLICATION VIOLATION BY THE  
INDIVIDUAL RESPONDENTS

3) On June 10, 1980 the named respondents filed a

complaint with the Federal Election Commission ("FEC") against the Massachusetts Federation of Teachers Executive Board and Paul L. Devlin, asserting violations of 2 U.S.C. Sec. 4416, docketed as Case No. MUR-1246, according to a notice from FEC General Counsel, Charles N. Steele, dated June 13, 1980.

4) 2 U.S.C. Sec. 437g(a)(12)(A) and 11 C.F.R. §111.21(a) establish that no complaint filed with the FEC shall be made public by any person without the written consent of a respondent and, Sec. 437g(a)(12)(B) provides in relevant part:

" . . . any other person who violates the provisions of subparagraph (A) shall be fined not more than \$2,000. Any such . . . other person who knowingly and willfully violates the provisions of subparagraph (A) shall be fined not more than \$5,000."

5) Neither the Massachusetts Federation of Teachers, its Executive Board or Paul L. Devlin have given written or other consent to the Commission or other person to make public the complaint in MUR-1246.

6) Notwithstanding the confidentiality requirements imposed by 2 U.S.C. Sec. 437g(a)(12) and 11 C.F.R. 111.21(a), respondents Cassidy, Dunn, Pofcher and Paresky, and their agents and attorneys, after filing the complaint in MUR-1246, mailed copies to at least a Massachusetts state agency, to attorneys representing municipal employers, and to local AFT union presidents and members.

7) Paul L. Devlin, President of MFT, is informed by Officers and employees of the Massachusetts State Labor Council, AFL-CIO, that on either June 16 or 17, 1980 they received through the regular mails, a copy of the complaint in a plain envelope.

8) Mr. Devlin was informed by Labor Attorney Allan Drachman on or about June 18 that his office had received a copy of the complaint in plain wrapping through the mails. Attorney Drachman's letter confirming receipt on June 17, 1980 is annexed as Exhibit 1.

9) Mr. Devlin was informed by Labor Attorney Norman Holtz that on June 17, 1980 his office received through the mail a copy of the complaint. Attorney Holtz verifies that receipt in his letter attached as Exhibit 2. The materials accompanying this verification include a photocopy of an envelope addressed to him which is designated as Exhibit 2(c). That envelope bears a Boston postmark after June 10, 1980 and appears to have been typed on the same typewriter used in preparing the complaint.

10) The following incidents of circulation are attested by Mr. Devlin as matters of his information and belief:

- A) Fritz Castleman, Senior Counsel, Massachusetts Labor Relations Commission, informs MFT Counsel that his state agency received by mail a copy

of the Complaint on June 19, 1980 in a plain white envelope postmarked at Boston, June 16, 1980 at 1:00 p.m., six (6) days after the filing of the Complaint. Attorney Castleman furnished a copy of the item which is another copy of the complaint with its June 5 signatures, and a copy of the envelope with its postmark and date stamp. The address on the envelope and the text of the complaint appear to have been typed on the same model of typewriter. Both items are attached as this Complaint's Exhibit 2.

- B) MFT staff members have reported that copies of the complaint were mailed to and received after June 10, 1980 by the following presidents and members of AFT local unions.

Joseph Bronstad  
SMU Faculty Federation  
SMU  
N. Dartmouth, MA

Brian Finn  
57 River Road  
Andover, MA

Cynthia Founds  
Westport Federation of  
Teachers

Rose Greenside  
41 Ohio Avenue  
Lawrence, MA

Henry Harlow  
W. Winkley Street  
Amesbury, MA

Thomas Karpicus  
Tohonto Teachers Assoc.,  
Local 3225

Thomas Mazzarini  
19 Dearborn Street  
Salem, MA

Donald Nickerson  
278 Rogers Street  
Tewksbury, MA

Frank Nolan  
12 Regent Dirve  
Danvers, MA

Charles St. Paul  
112 Pleasant Street  
Methuen, MA

Cheryl Supko  
136 Harding Street  
Medfield, MA

11) The widespread distribution to State Council officers, employer attorneys, and local union presidents impairs the ability to carry out its responsibilities and shows that the purpose of the filing was to compromise the MFT as an organization.

B. THE FALSE REPRESENTATION VIOLATION

12) The complaint in MUR-1246 makes misrepresentation of material facts with respect to the alleged events described on its pages 3 and 4. Said misrepresentations were knowingly and willfully made by the named respondents as to matters within the jurisdiction of the Federal Election Commission in violation of 18 U.S.C. Sec. 1001.\*

C. THE VIOLATION BY THE MASSACHUSETTS  
TEACHERS ASSOCIATION

13) The Massachusetts Teachers Association is an employee organization affiliated with the National Educational Association and a competitor and rival of MFT.

14) On or about June 25, 1980 the Massachusetts Teachers Association mailed several thousand copies of a leaflet entitled "Teachers Voice" to City of Boston public school employees. A copy is attached as this Complaint's Exhibit 4 and its page 4 contains a description of the complaint in MUR-1246, with extensive quotations from its text.

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\*Note: The Complainants were not authorized by locals 1677, 1340, and 3569 to file a complaint as representatives of the aforesaid local unions.

15) This extensive public dissemination by the rival Massachusetts Teachers Association will impair the relationship between the MFT's affiliate, Boston Teachers Union, Local 66, AFT, and City of Boston public school employees and severely damages both MFT and Boston Teachers Union.

Respectfully submitted,

MASSACHUSETTS FEDERATION OF  
TEACHERS

July , 1980

By: Paul L. Devlin  
Paul L. Devlin

Suffolk, ss

Then appeared before me Paul L. Devlin and swore that the contents of this complaint are true to his knowledge and that as to any matters of belief, he believes them to be true and he signed this complaint in my presence.

Anna B. Luedke  
Notary Public  
My Commission Expires: 11/7/80

Dated: June 30, 1980

30719221733



ALLAN W. DRACHMAN, P. C.  
ATTORNEYS AT LAW

ALLAN W. DRACHMAN  
NAOMI R. STONBERG  
PHILIP COLLINS  
DOROTHY Q. NELSON

185 DEVONSHIRE STREET  
BOSTON, MASSACHUSETTS 02110  
(617) 482-8250

June 27, 1980

John McMahon, Esquire  
Angoff Goldman Manning Pyle & Wagner  
44 School Street  
Boston, Massachusetts

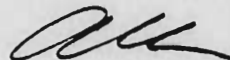
Re: Paul Devlin

Dear John:

I am enclosing a copy of the complaint to the Federal Election Commission involving internal affairs regarding AFT and Paul Devlin.

The document was received in my office on June 17, 1980.

Yours very truly,

  
Allan W. Drachman

AWD:de  
Enclosure

RECEIVED JUN 30 1980

Exhibit 1(a)

30040221754

RECEIVED

'80 JUL 2 AM 11 13

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ELECTION COMMISSION

TO THE GENERAL COUNCIL OF  
THE FEDERAL ELECTION COMMISSION  
CHARLES N. STEELE

COMPLAINT AND REQUEST FOR AN  
INVESTIGATION FOR VIOLATION OF  
2 USC 441b IN THE MATTER OF:

CHARLES N. STEELE, PRESIDENT OF  
TEACHERS LOCAL 3569  
AFT, AFL-CIO

BILLERICA FEDERATION OF  
TEACHERS, LOCAL 1677  
AFT, AFL-CIO

CHESLEA TEACHERS UNION  
LOCAL 1340, AFT, AFL-CIO

LYNN TEACHERS UNION  
LOCAL 1037, AFT, AFL-CIO

VS

MASSACHUSETTS FEDERATION OF TEACHERS EXECUTIVE BOARD  
AND  
ONE PAUL L. STEELE

JUL 2, 1980

Exhibit 1 (b)

in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or a representative in, or a delegate or Resident Commissioner to, Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section, or any officer or any director of any corporation or any national bank or any officer of any labor organization to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section.

(b) (1) For the purposes of this section the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work

(2) For purposes of this section and section 791(h) of Title 15, the term contribution or expenditure shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, but shall not include (A) communications by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject; (B) nonpartisan registration get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organization aimed at its members and their families; (C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

(c) It shall be unlawful--

(A) for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction;

(B) for any person soliciting an employee for any contribution to such a fund to fail to inform such employee of the political purposes of such fund at the time of such solicitation; and

(C) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee, at the time of such solicitation, of his right to refuse to so contribute without any reprisal

(4) (A) Except as provided in subparagraphs (B), (C), and (D), it shall be unlawful--

(i) for a corporation, or a separate segregated fund established by a corporation, to solicit contributions to such a fund from any person other

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than its stockholders and their families and its executive or administrative personnel and their families, and

(ii) for a labor organization, or a separate segregated fund established by a labor organization, to solicit contributions to such a fund from any person other than its members and their families.

(B) it shall not be unlawful under this section for a corporation, a labor organization, or a separate segregated fund established by such corporation or such labor organization, to make 2 written solicitations for contributions during the calendar year from any stockholder, executive or administrative personnel, or employees of a corporation or the families of such persons. A solicitation under this subparagraph shall be made only by mail addressed to stockholders, executive or administrative personnel, or employees at their residence and shall be so assigned that the corporation, labor organization, or separate segregated fund conducting such solicitations cannot determine who makes a contribution of \$50 or less as a result of such solicitations and who does not make such a contribution.

(C) this paragraph shall not prevent a membership organization, cooperative, or corporation without capital stock, or a separate segregated fund established by a membership organization, cooperative or corporation without capital stock, from soliciting contributions from members of such organization, cooperative, or corporation without capital stock.

The substantial nature of the charges is as follows:

At a formal monthly meeting of the Massachusetts Federation of Teachers executive board in March, 1980, the board voted its support and the Federation resources were put at the disposal of one Mr. Paul J. Devlin to assist Mr. Devlin's candidacy to become an elected delegate to the 1980 Democratic National Convention. Prior to taking a voice vote on the matter and at the aforesaid meeting a discussion on the matter was had. The executive board discussed with Mr. Devlin what kind of aid he would need and he responded by making a reference to "hard money versus soft money" and the use of secretarial help in preparing campaign literature (see exhibit II a campaign flyer produced in Federation headquarters by Federation secretarial staff).

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-4-

During the discussion on the Executive Board was warned that giving Mr. Devlin help was an unethical practice; they were told that supporting his candidacy with Federation resources and materials put him at an unfair advantage over other union members who have little or no resources and may be desirous of running for delegate from the sixth Congressional district. Executive officers, executive board members and a staff union representative were present when Associate Executive Secretary JOHN J. CAMPBELL, also an attorney, gave the board the aforesaid warning. No response was made to the warning and immediately the board voted to help Mr. Devlin's candidacy.

Mr. Devlin used a Federation staff vehicle, a telephone credit card of the Federation, a Federation expense allowance, and Federation employees in his behalf prior to the Democratic Caucus meeting at Salem State College in Salem Massachusetts and during the day of the caucus meeting. Potential witnesses to the use of staff may be elicited from Federation employees, Ms. Joan Buckley, Mr. Jay Porter, and Mr. Robert Harland. New England Telephone Company records will verify

phone use and Mr Devlin's expense records with the education will verify expense allowances.

Members of the executive board, Mr Peter Shelton and Mr Frederick Driscoll and others were campaigning and present at the caucus meeting on Mr Devlin's behalf

The Federal Election Commission should be aware that these charges are only the tip of the iceberg. Mr. Devlin and the executive board are presently under investigation by the American Federation of Teachers for violations of the Labor-Management Disclosure Act and the established policies of the Federation. We and other union members are presently filing with the United States Secretary of Labor a charge that the executive board in collusion with Mr. Devlin did by illegal use of Federation funds (the origins of which is member's dues) violate the provisions of the Labor-Management Disclosure Act. Further we and other union members consider the Constitution and/or Bylaws of our Federation to be a good faith contract between the Massachusetts Federation of Teachers and each member of the Federation which has been violated by the executive board and Mr. Devlin in that board members with agreement with Mr. Devlin have been expending over a three

year period, against long standing union policy, general funds of the Federation to pay their local union legal expenses. Said expenses are normally incurred by local unions from local treasuries. Southeastern Regional Vocational School (Board member Matthew Foley), Salem Teachers Union (Board member Seymour Riley), New Bedford Paraprofessionals Local (by agreement with Paul L. Devlin), the Springfield Federation of Teachers (Board member Martin Ambrosini) all among locals of other board members have been draining the general funds of the state Federation for expenses which local unions which have no board representation pay in the normal course of administration of collective bargaining agreements. These matters are currently being brought before proper legal forums for redress but we want the Commission to be aware of the corrupt practices of our executive board and of Paul L. Devlin.

Upon investigation the Federal Election Commission will find willing testimony from Federation employees and union members who were present when the aforesaid events occurred and possesses documentary evidence substantiating all charges.

It is imperative that the Commission act quickly in that records of the Federation are being scrutinized by some of those who may be conspirators in the aforesaid violations and we worry that records may be altered, destroyed or hidden by those who are in power and may deem this best interest to cover up the true record.

I, Lynn Teachers Union, Local 1037, AFT, AFI-CIO, the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

990740221759



Donald A. Papeete, Billerica Federation of Teachers, Local 1677,  
 AFT, AFL-CIO the aforesaid is true according to my knowledge and therefore, I  
 accordingly in good faith swear to the veracity of its content.

9 Locust St.  
 Salem, MA 01970

Sworn before me this 5th day of May 1980  
 Thomas D. A. Brine, Notary Public  
 My commission expires September 19, 1986

Brian J. Casady, Chelsea Teachers Union, Local 1340, AFT, AFL-CIO,  
 the aforesaid is true according to my knowledge and therefore, I accordingly  
 in good faith swear to the veracity of its content.

107 WOODLAWN ST.  
 EVERETT, MA. 02149

Sworn before me this 5th day of June 1980  
 Graham J. Francis - Notary Public  
 My comm expires 5-11-84

Margaret L. Greshy  
 Graham J. Francis

Chelmsford Federation of Teachers, Local 3569,  
 AFT, AFL-CIO, the aforesaid is true according to my knowledge and therefore, I  
 accordingly in good faith swear to the veracity of its content.

10 Smith Street, Chelmsford, Massachusetts 01824  
 10 Smith Street, Chelmsford, Massachusetts 01824

Sworn before me this 5th day of  
 June, 1980  
 William F. Tsaffar  
 Notary Public -

80040221760



LAW OFFICES  
HOLTZ AND GILMAN, P. C.  
18 TREMONT STREET  
BOSTON, MASSACHUSETTS 02108  
(617) 367-6660

NORMAN HOLTZ  
MICHAEL C. GILMAN

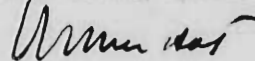
June 24, 1980

John McMahon, Esquire  
Angoff, Goldman, Manning, Pyle & Wanger  
44 School Street  
Boston, Massachusetts 02108

Dear John:

Enclosed herewith please find Federal Election Commission Complaint which was received by me on Tuesday, June 17, 1980. It came in a plain letter size buff colored envelope with no return address and with no cover letter. Unfortunately we cannot locate the original that we received. I am sending this to you in accordance with your request.

Very truly yours,



Norman Holtz

NHLJLM

File No. 136

Enclosure

Exhibit 2(a)

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ELECTION COMMISSION

TO THE GENERAL COUNSEL OF  
THE FEDERAL ELECTION COMMISSION  
CHARLES N. STELL

COMPLAINT AND REQUEST FOR AN  
INVESTIGATION FOR VIOLATION OF  
2 USC 441b IN THE MATTER OF:

CHELSEFORD FEDERATION OF  
TEACHERS LOCAL 3609  
AFT, AFL-CIO

BILLERICA FEDERATION OF  
TEACHERS, LOCAL 1677  
AFT, AFL-CIO

CHELSEA TEACHERS UNION  
LOCAL 1340, AFT, AFL-CIO

LYNN TEACHERS UNION  
LOCAL 1037, AFT, AFL-CIO

VS

WOMENHUSKETS FEDERATION OF TEACHERS EXECUTIVE BOARD  
AND  
ONE PAUL L. STELL

JUNE 2, 1980

Exhibit 2(b)

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ELECTION COMMISSION

TO THE GENERAL COUNSEL OF  
THE FEDERAL ELECTION COMMISSION  
CHARLES W. STELL

\*\*\*\*\*  
COMPLAINT AND REQUEST FOR AN  
INVESTIGATION FOR VIOLATION OF  
2 USC 441b IN THE MATTER OF:

CHELSEFORD FEDERATION OF  
TEACHERS LOCAL 3569  
AFT, AFL-CIO

BILLERICA FEDERATION OF  
TEACHERS, LOCAL 1677  
AFT, AFL-CIO

CHELSEA TEACHERS UNION  
LOCAL 1340, AFT, AFL-CIO

LYNN TEACHERS UNION  
LOCAL 1037, AFT, AFL-CIO

VS

MASSACHUSETTS FEDERATION OF TEACHERS EXECUTIVE BOARD  
AND  
ONE PAUL L. DEVLIN

JUNE 2, 1980

Exhibit 2(b)

in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a delegate or Resident Commissioner to, Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section, or any officer or any director of any corporation or any national bank or any officer of any labor organization to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section.

(b) (1) For the purposes of this section the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work

(2) For purposes of this section and section 791(h) of Title 15, the term "contribution or expenditure" shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, but shall not include (A) communications by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject; (B) nonpartisan registration get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organization aimed at its members and their families; (C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

(3) It shall be unlawful--

(A) for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction;

(B) for any person soliciting an employee for any contribution to such a fund to fail to inform such employee of the political purposes of such fund at the time of such solicitation; and

(C) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee, at the time of such solicitation, of his right to refuse to so contribute without any reprisal

(4) (A) Except as provided in subparagraphs (B), (C), and (D), it shall be unlawful--

(i) for a corporation, or a separate segregated fund established by a corporation, to solicit contributions to such a fund from any person other

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During the discussion the Executive Board was warned that giving Mr. Devlin help was an unethical practice; they were told that supporting his candidacy with Federation resources and materials put him at an unfair advantage over other union members who have little or no resources and may be desirous of running for delegate from the sixth Congressional district. Executive officers, executive board members and a staff union representative were present when Associate Executive Secretary JOHN J. CARLUTER, also an attorney, gave the board the aforesaid warning. No response was made to the warning and immediately the board voted to help Mr. Devlin's candidacy.

Mr. Devlin used a Federation staff vehicle, a telephone credit card of the Federation, a Federation expense allowance, and Federation employees in his behalf prior to the Democratic Caucus meeting at Salem State College in Salem Massachusetts and during the day of the caucus meeting. Potential witnesses to the use of staff may be elicited from Federation employees, Ms. John Buckley, Mr. Jay Porter, and Mr. Robert Harland. New England Telephone Company records will verify

phone use and Mr. Devlin's expense records with the Federation will verify expense allowances.

Members of the executive board, Mr. Peter Whelton and Mr. Frederick Driscoll and others were campaigning and present at the caucus meeting on Mr. Devlin's behalf.

The Federal Election Commission should be aware that these charges are only the "tip of the iceberg". Mr. Devlin and the executive board are presently under investigation by the American Federation of Teachers for violations of the Labor-Management Disclosure Act and the established policies of the Federation. We and other union members are presently filing with the United States Secretary of Labor a charge that the executive board in collusion with Mr. Devlin did by illegal use of Federation funds (the origins of which is member's dues) violate the provisions of the Labor-Management Disclosure Act. Further we and other union members consider the Constitution and/or Bylaws of our Federation to be a good faith contract between the Massachusetts Federation of Teachers and each member of the Federation which has been violated by the executive board and Mr. Devlin in that board members with agreement with Mr. Devlin have been exposed.

80040221765

Donald A. Pof... Billerica Federation of Teachers, Local 1677,  
AFT, AFL-CIO the aforesaid is true according to my knowledge and therefore, I  
accordingly in good faith swear to the veracity of its content.

9 Locust St.  
Salem, MA 01970

Sworn before me this 5th day of May 1980  
James D. A. Brine Notary Public  
My commission expires September 18, 1986

30047221766  
Keri J. Casaly, Chelsea Teachers Union, Local 1340, AFT, AFL-CIO,  
the aforesaid is true according to my knowledge and therefore, I accordingly  
in good faith swear to the veracity of its content.

107 WOODLAWN ST.  
EVERETT, MA. 02149

Sworn before me this 5th day of June 1980  
Gratney Francis - Notary Public  
My term expires 5-11-84

Margaret L. Lushy  
Gratney Francis Chelmsford Federation of Teachers, Local 3569,  
AFT, AFL-CIO, the aforesaid is true according to my knowledge and therefore, I  
accordingly in good faith swear to the veracity of its content.

10 Smith Street, Chelmsford, Massachusetts 01824  
10 Smith Street, Chelmsford, Massachusetts 01824

Sworn before me this 5th day of  
June, 1980 William P. Poff...  
Notary Public -



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Exhibit 2(c)



UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ELECTION COMMISSION

TO THE GENERAL COUNSEL OF  
THE FEDERAL ELECTION COMMISSION  
CHARLES N. STEELE

\*\*\*\*\*  
COMPLAINT AND REQUEST FOR AN  
INVESTIGATION FOR VIOLATION OF  
2 USC 441b IN THE MATTER OF:

CHELMSFORD FEDERATION OF  
TEACHERS LOCAL 3569  
AFT, AFL-CIO

BILLERICA FEDERATION OF  
TEACHERS, LOCAL 1677  
AFT, AFL-CIO

CHELSEA TEACHERS UNION  
LOCAL 1340, AFT, AFL-CIO

LYNN TEACHERS UNION  
LOCAL 1037, AFT, AFL-CIO

VS

MASSACHUSETTS FEDERATION OF TEACHERS EXECUTIVE BOARD  
AND  
ONE PAUL L. DEVLIN

JUNE 2, 1980

\*\*\*\*\*  
Exhibit 3(a)

PRELIMINARY STATEMENT

The Massachusetts Federation of Teachers is a federation of approximately forty labor unions. The Federation has its headquarters located at 114 Western Avenue, Lynn, Massachusetts 01904 (telephone 1-617-599-6800)

The Federation executive board has the power to carry on all the business affairs of the organization. The executive board is composed of a president and twenty vice presidents; these officers are elected by delegates from locals of the Federation every two years (see Exhibit I Bylaws of the Massachusetts Federation of Teachers p 8 & 9).

The complainants of these charges are all citizens of the United States of America and members in good standing of locals which are affiliated with the Massachusetts Federation of Teachers

THE CHARGES

It is with deep regret that we the under signed make the following charges. However, we are responsible citizens and dedicated teacher unionists who are militant in our concern that the federal election processes and our labor organization be maintained with integrity; we now request that the Federal Election Commission in order to protect our rights as American citizens and to safeguard and preserve the democratic processes of our union investigate the following charges that the Massachusetts Federation of Teachers Executive Board and one Paul L. Devlin, Associate Executive Secretary did knowingly and willingly commit unethical practices in violation of Federal Election Law:

2 United States Code 441b:

441b Contributions or expenditures by national banks, corporations, or labor organizations

(a) It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution or expenditure

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in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organization, to make a contribution or expenditure in connection with any election at which presidential and vice presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person knowingly to accept or receive any contribution prohibited by this section, or any officer or any director of any corporation or any national bank or any officer of any labor organization to consent to any contribution or expenditure by the corporation, national bank, or labor organization, as the case may be, prohibited by this section.

(b) (1) For the purposes of this section the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work

(2) For purposes of this section and section 791(h) of Title 15, the term contribution or expenditure shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section, but shall not include (A) communications by a corporation to its stockholders and executive or administrative personnel and their families or by a labor organization to its members and their families on any subject; (B) nonpartisan registration get-out-the-vote campaigns by a corporation aimed at its stockholders and executive or administrative personnel and their families, or by a labor organizations aimed at its members and their families; (C) the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock.

(j) It shall be unlawful--

(A) for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction;

(B) for any person soliciting an employee for any contribution to such a fund to fail to inform such employee of the political purposes of such fund at the time of such solicitation; and

(C) for any person soliciting an employee for a contribution to such a fund to fail to inform such employee, at the time of such solicitation, of his right to refuse to so contribute without any reprisal

(4) (A) Except as provided in subparagraphs (B), (C), and (D), it shall be unlawful--

(i) for a corporation, or a separate segregated fund established by a corporation, to solicit contributions to such a fund from any person other

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than its stockholders and their families and its executive or administrative personnel and their families, and

(11) for a labor organization, or a separate segregated fund established by a labor organization, to solicit contributions to such a fund from any person other than its members and their families.

(2) it shall not be unlawful under this section for a corporation, a labor organization, or a separate segregated fund established by such corporation or such labor organization, to make 2 written solicitations for contributions during the calendar year from any stockholder, executive or administrative personnel, or employees of a corporation or the families of such persons. A solicitation under this subparagraph shall be made only by mail addressed to stockholders, executive or administrative personnel, or employees at their residence and shall be so assigned that the corporation, labor organization, or separate segregated fund conducting such solicitations cannot determine who makes a contribution of \$50 or less as a result of such solicitations and who does not make such a contribution.

(C) this paragraph shall not prevent a membership organization, cooperative, or corporation without capital stock, or a separate integrated fund established by a membership organization, cooperative as a fund from members of such organization, cooperative, or corporation without capital stock.

The substantial nature of the charges is as follows:

At a formal monthly meeting of the Massachusetts Federation of Teachers executive board in March, 1980, the board voted its support and the Federation resources were put at the disposal of one Mr. Paul L Devlin to assist Mr Devlin's candidacy to become an elected delegate to the 1980 Democratic National Convention. Prior to taking a voice vote on the matter and at the aforesaid meeting a discussion on the matter was had. The executive board discussed with Mr Devlin what kind of aid he would need and he responded by making a reference to "hard money versus soft money" and the use of secretarial help in preparing campaign literature (see Exhibit II a campaign flyer produced in Federation headquarters by Federation secretarial staff).

During the discussion the Executive Board was warned that giving Mr. Devlin help was an unethical practice; they were told that supporting his candidacy with Federation resources and materials put him at an unfair advantage over other union members who have little or no resources and may be desirous of running for delegate from the sixth Congressional district. Executive officers, executive board members and a staff union representative were present when Associate Executive Secretary JOHN J CARPENTER, also an attorney, gave the board the aforesaid warning. No response was made to the warning and immediately the board voted to help Mr Devlin's candidacy.

Mr. Devlin used a Federation staff vehicle, a telephone credit card of the Federation, a Federation expense allowance, and Federation employees in his behalf prior to the Democratic Caucus meeting at Salem State College in Salem Massachusetts and during the day of the caucus meeting. Potential witnesses to the use of staff may be elicited from Federation employees, Ms. Joan Buckley, Mr. Jay Porter, and Mr. Robert Marland. New England Telephone Company records will verify

phone use and Mr Devlin's expense records with the Federation will verify expense allowances.

Members of the executive board, Mr Peter Whelton and Mr Frederick Driscoll and others were campaigning and present at the caucus meeting on Mr Devlin's behalf

The Federal Election Commission should be aware that these charges are only the "tip of the iceberg" Mr Devlin and the executive board are presently under investigation by the American Federation of Teachers for violations of the Labor-Management Disclosure Act and the established policies of the Federation. We and other union members are presently filing with the United States Secretary of Labor a charge that the executive board in collusion with Mr Devlin did by illegal use of Federation funds (the origins of which is member's dues) violate the provisions of the Labor-Management Disclosure Act. Further we and other union members consider the Constitution and/or Bylaws of our Federation to be a good faith contract between the Massachusetts Federation of Teachers and each member of the Federation which has been violated by the executive board and Mr Devlin in that board members with agreement with Mr Devlin have been expending over a three

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year period, against long standing union policy, general funds of the Federation to pay their local union legal expenses. Said expenses are normally incurred by local unions from local treasuries. Southeastern Regional Vocational School (Board member Matthew Foley), Salem Teachers Union (Board member Gaynor Riley), New Bedford Paraprofessionals Local (by agreement with Paul L. Devlin), the Springfield Federation of Teachers (Board member Martin Manoojian) all among locals of other board members have been draining the general funds of the state Federation for expenses which local unions which have no board representation pay in the normal course of administration of collective bargaining agreements. These matters are currently being brought before proper legal forums for redress but we want the Commission to be aware of the corrupt practices of our executive board and Mr Paul L Devlin.

Upon investigation the Federal Election Commission will find willing testimony from Federation employees and union members who were present when the aforesaid events occurred and possesses documentary evidence substantially all charges.

It is imperative that the Commission act quickly in that records of the Federation are being scrutinized by some of those who may be conspirators in the aforesaid violations and we worry that records may be altered, destroyed or hidden by those who are in power and may deem this best interest to cover up the true record.

, Lynn Teachers Union, Local 1037, AFT, AFL-CIO,  
the aforesaid is true according to my knowledge and therefore, I accordingly in good faith swear to the veracity of its content.

Donald A. Pofelner

, Billerica Federation of Teachers, Local 1677,

AFT, AFL-CIO the aforesaid is true according to my knowledge and therefore, I

accordingly in good faith swear to the veracity of its content.

9 Locust St.

Salem, MA 01970

Sworn before me this 5th day of May 1980  
Thomas D. O'Brien, Notary Public  
My commission expires September 19, 1986

Kevin J. Casaly

, Chelsea Teachers Union, Local 1340, AFT, AFL-CIO,

the aforesaid is true according to my knowledge and therefore, I accordingly

in good faith swear to the veracity of its content.

107 WOODLAWN ST.

EVERETT, MA. 02149

Sworn before me this the 5th day of June 1980  
Anthony J. Frasca - Notary Public  
My term expires 5-11-84

Margaret Parsky  
Gracie Dunn

Chelmsford Federation of Teachers, Local 3569,

AFT, AFL-CIO, the aforesaid is true according to my knowledge and therefore, I

accordingly in good faith swear to the veracity of its content.

10 Smith Street, Chelmsford, Massachusetts 01824

10 Smith Street, Chelmsford, Massachusetts 01824

Sworn before me this 5th day of  
June, 1980

William P. Tsaffaris  
Notary Public

30010221774



9 0 0 4 0 2 0 1 7 7 3

JAMES COOPER, ESQ.

MASS STATE LABOR RELATIONS COMMISSION

100 CAMBRIDGE STREET

Boston, MASSACHUSETTS



Exhibit 3 (b)

# Teachers Voice

## Boston MTA-NEA

Vol. 1, No. 2

June 1980

## Not Enough Isn't Good Enough

Vol. 1, No. 1 of this newsletter, MTA-NEA announced that it was voluntarily suspending its campaign to collect signatures and petition for a representational election against the Boston Teachers Union (BTU/MFT-AFT/AFL-CIO). As we wrote in that issue:

The MTA-NEA Organizing Committee has concluded that *nothing must be permitted to divert BTU/MFT-AFT's attention* — in even the slightest way — *from the overriding task at hand. That task is to save the jobs of Boston teachers.*

We also put the BTU on notice: Its responsibility to the workers of Boston was both to preserve jobs and to negotiate a reasonable salary increase. The second part of that injunction is even more controlling today than it was four months ago. With inflation edging toward an unprecedented 20 percent a year, *Boston teachers deserve a very hefty pay hike.*

Now, four months later, we have still *heard nothing* from BTU about the progress of negotiations — or even about the *lack* of progress. Look, for example, at the June 1980 issue of the *Boston Union Teacher*, the BTU newspaper. There are stories about nearly everything — even the "Summer Olympics" — but not a single report about the contract talks between BTU and the school committee.

From sources within both the BTU and the school department, the MTA-NEA Organizing Committee knows that the negotiations are going very poorly. That is no surprise. As we warned last February:

The times we're in are not normal . . . they are, rather, the most perilous that teachers in Boston have ever faced.

When the difficulties of negotiating a contract this year are compounded of the inflationary spiral, the looming recession, and complaints that our schools are "over-staffed" in the light of declining enrollments, the BTU needed massive assistance in order to win its bargaining demands — that is, *our* personal and professional needs. One reason for the BTU's troubles is that such help is not available from the Massachusetts and American Federation of Teachers

(MFT-AFT), BTU's parent organizations. Instead, those unions are spending the dues of teachers — and the agency fees paid by teachers — to organize non-school workers.

BTU leaders *knew*, however, that they would receive no help from MFT-AFT, and surely they must have planned their negotiations strategy with that recognition in mind.

What concerns the MTA-NEA Organizing Committee is that BTU's hierarchy has ignored the one great resource that it does possess. That resource is *us* — the teachers of Boston. Informed and mobilized, we are a force that no school committee member could dismiss out of hand. Uninformed, however, and uncalled upon, we are a resource — a source of strength — that will be *wasted*.

Ignoring the city's teachers and then, at the last moment, calling upon us to ratify a substandard contract — or to walk off our jobs on strike — is the way that the BTU hierarchy has *always* played it. Everything is kept close to the vest; even the most basic information is kept within the clique that runs the BTU.

But the point of our February message was that "business as usual" is unacceptable this year.

To date we have not been given enough information; in fact, we have been given virtually *no* information at all. And we put BTU's leaders squarely on notice: Unless you start playing fair and open with us, you will have no right to expect any support whatever from the teachers of this city.

As we wrote in February:

If September comes and BTU/MFT-AFT hasn't done the job it should have done, the MTA-NEA Organizing Committee will still be here — prepared to give the teachers of Boston the more effective representation they deserve.

September is very close now. Our personal and professional wellbeing — and our jobs themselves — are at stake. The BTU doesn't have much time. We give that union one last chance.

Exhibit 4

## Springfield Teachers Stand Tall, Win with MTA-NEA

Last October, when MTA-NEA ousted BTU's sister union in Springfield as collective bargaining agent for that city's 1,800 teachers, Association leaders knew they were in for a hard round of contract talks.

Ten years of negotiating with BTU's sister union had led the city and the school committee to look upon teachers as push-overs," local MTA-NEA president Janice Kisilus observed. During the MFT-AFT's tenure, teacher salaries in Springfield had fallen further and further behind: From first place in Western Massachusetts in 1970, they had dropped into the lowest quartile. Year after year the MFT-AFT local settled for grossly substandard pay increases. In September 1979, for example, MFT-AFT "won" a mere 2.1 percent wage hike for the city's teachers. A principal reason was that MFT-AFT, overextended financially by their campaigns to organize non-school workers, were unable to provide negotiations research or other assistance to their Springfield local. As a result, BTU's sister union left over \$5.5 million on the bargaining table — that is, was unaware that the school committee had surpluses of \$5.5 million that could have been used for salaries.

nor had the MFT-AFT local produced on the many and handsome promises it had made, in 1970, to win bargaining rights in the first place. One of those promises had been to win preparation time for elementary teachers. Almost ten years after vowing to obtain such time, MFT-AFT had still not negotiated a single minute for any of the teachers.

When the MTA-NEA local sat down with the school committee's representatives for the first time, they felt as if "we were being treated like a joke.... Management's negotiators suggested that 'teachers are easy.'" The teacher team, supported by MTA-NEA professionals, resolved not to "be easy."

Months of hard, eyeball-to-eyeball bargaining followed. The school committee, expecting the MTA-NEA group to "fold," as the MFT-AFT local had always done, refused adamantly to give in on any of the teachers' contract demands. The school committee stonewalled, tactically daring the teachers to put the muscle of a strike behind their insistence upon higher salaries and other contractual improvements.

On April 28th, provoked beyond reason, the teachers did vote to walk off their jobs. The strike was overwhelmingly effective; that is, almost no one crossed the MTA-NEA picket-lines.

Even the most hard-core MFT-AFT partisans were impressed by the support MTA-NEA provided during the strike — support aimed at ending the walkout, winning a good contract, and getting the teachers back to their classrooms. "[BTU's parent] union could never have given us the assistance that MTA-NEA did," a one-time officer of the Springfield MFT-AFT local pointed out.

The teachers were out for just 14 days, a "short" period compared to strikes by AFT locals in other cities. (Earlier in the 1979-80 school year, the AFT local in Cleveland was on strike for 55 days and the AFT local in Daly City, a suburb of San Francisco, was on the picket-lines for 45 days. The previous year AFT members in Levittown, New York, lost 86 days' pay for a 43-day walkout — and then received *no pay hike* in the first year of a four-year agreement.)

When the Springfield strike was over, the city's teachers realized their first major contract gains in more than ten years. Elementary teachers finally won their preparation time — 30 minutes a week the first year, 60 minutes the second. Maximum class size was reduced by two students. Salary hikes totalling 11.5 percent over the two-year life of the agreement were obtained; coaching and other stipends rose better than 10 percent in the first year alone.

"We had just about given up believing that *any* organization could make a difference," a rank-and-filer admitted, "but now we see that unions [MTA-NEA] that are devoted to teachers alone really *can* make a difference."

How widespread is that opinion? Membership figures are probably the best evidence. When it won bargaining rights last October, the MTA-NEA local enrolled just 400 members. Today more than 1,300 teachers belong to the Springfield MTA-NEA — and that figure is at least 350 more than *ever* joined the MFT-AFT group in its entire ten-year history as the teachers' bargaining agent.

For many years BTU leaders argued that Boston teachers should not have to pay *all* the dues required of AFT affiliates: MFT, AFT, state AFL-CIO, and national AFL-CIO. Some of those unions were worthless to us, they insisted. Then the New York group got control of the AFT — and our paychecks have been a little lighter ever since.

If *everyone* had to pay those extra dues, we wouldn't have so much reason to complain. We've just learned, however, that nearly half of all the AFT locals in Florida are *exempted* from both national AFT dues and state and national AFL-CIO dues. That isn't fair, and we think the whole question of mandatory MFT-AFT-AFL-CIO dues should be reopened.

## NEA Sets Record in Democratic Delegates

More than 10 percent of all the delegates to the 1980 Democratic National Convention will be NEA members, according to an Associated Press survey completed just prior to the June 3rd primaries in California and seven other states.

As of the end of May, and with 30 of the 50 states reporting, 231 NEA members had won delegate seats and another 126 had been elected alternate delegates to the New York City meeting.

Projections are that the NEA total will exceed 500 once all the states have completed their delegate-selection caucuses; about 350 of the NEA members will be full delegates.

In Massachusetts, where MTA supported the candidacy of Sen. Edward M. Kennedy, MTA-NEA members have won nine delegate posts and six alternate seats. Two of the delegates and four of the alternates are pledged to President Carter, the others to Kennedy.

(Unlike the national AFL-CIO, which threatened to suspend its state affiliate for supporting Sen. George McGovern in 1972, NEA does not — and can not — require its state affiliates to follow "the party line.")

NEA's delegate total will give it more votes than any other organization in choosing the Democratic Party's standard bearers and in setting its policies. In 1976 — with barely half the number

of delegates it has elected this year — the NEA outnumbered all other labor organizations, and sent more delegates to the Democrats' convention than all AFL-CIO unions put together. This year, NEA is expected to end up with *twice* as many delegates as the AFL-CIO.

"It isn't any wonder that NEA has been able to get so much favorable legislation through Congress," a leading Senator told the *Washington Post*. "One thing we politicians know how to do is count votes."

That ability to "count votes" explains why the NEA was able to whip the AFT — and the AFL-CIO — and to win a separate, Cabinet-level Department of Education last year, and also why NEA has won a 60 percent increase in federal aid to education over the past four years.

"There are probably 20 Senators who've got their eyes on the Presidency, and at least that many Representatives, not to speak of Governors, and they're all looking at that huge bloc of NEA delegates," the *Post* noted.

(Incidentally, not one penny of NEA money has been used to elect any of these delegates — a refreshing contrast to the MFT-AFT's practice. See story, page 4.)

## Teachers Will Gain with MTA-NEA Welfare Fund

In meetings with teachers — BTU members as well as agency fee payers — one of the questions most frequently asked of MTA-NEA representatives is: "When the Association replaces BTU as our collective bargaining agent, what will happen to the insurance coverage now provided by the Health and Welfare Fund?"

The simplest and most direct answer is this: "MTA-NEA guarantees that Boston teachers will obtain *broader coverage and higher benefits* once the Association represents us."

Actually, MTA-NEA are in a very strong position. MTA now enrolls nearly 66,000 members, NEA over 1750,000. BTU's parent bodies, MFT and AFT, are at 11,000 and 430,000 members — and about a fifth of the national AFT's members have nothing to do with education. Through MTA-NEA, in short, a local teachers' organization can buy superior coverage for less money — and far superior coverage for the same

amount or an even higher contribution from the school committee. And it would be MTA-NEA's intent to negotiate a *higher* figure from the school department.

MTA-NEA would also improve our coverage by *cutting down on overhead*. A short while back the Fund's administrators spent upwards of \$1 million (!) redecorating their offices. That money *could* have been used to *improve benefits* for Boston teachers; and, in MTA-NEA's judgment, it *should* have been used for that purpose. In fact, MTA-NEA's philosophy differs markedly from the BTU/MFT-AFT/AFL-CIO view of such things. MTA-NEA considers every penny that the school committee puts into the Health and Welfare Fund to be money that teachers have voluntarily foregone in salary; that is, we have *chosen* for our money to be put into insurance coverage instead. It should, therefore, be used to give us the "broader coverage and higher benefits" to which MTA-NEA is pledged.



## BTU's Sister Unions Charge MFT with 'Corruption'

Three of the Boston Teachers Union's sister locals have filed suit against their — and the BTU's — parent organization, the Massachusetts Federation of Teachers, AFT/AFL CIO, for "collusion," "corruption," "conspiracy," "unethical practices," and "illegal misappropriation of union dues."

The complaint, filed on June 5, 1980, with the Federal Elections Commission (FEC), alleges that the MFT executive board and MFT associate executive secretary Paul Devlin "did knowingly and willingly commit unethical practices in violation of federal election law [U.S. Code 441b]."

According to the suit, the executive board used the dues and agency fee payments of Boston teachers — and other MFT members — to give Devlin "an unfair advantage over other union members" in his campaign for election as a delegate to the 1980 Democratic National Convention. According to the charges, Devlin was permitted to use his MFT-leased car to tour the Sixth Congressional District in search of votes; was allowed to make campaign telephone calls charged to the MFT; put campaign costs on his union expense account; and exploited other MFT staff employees — who should have been working for teachers — by assigning them to work for his election instead.

Devlin, a long time MFT staff employee, is also a vice-president of the national AFT, a union controlled not by its teacher members but by its own professional staff. Of the 31 members on the AFT executive council, fully 27 are on the payroll of the AFT or an affiliated union (full time).

The charges were brought by the MFT-AFT/AFL CIO affiliates in Billerica (MFT-AFT Local 1677), Framingham (Local 3509), and Chelsea (Local 1340).

The Lynn union (Local 1037) was also listed on the papers, but no Lynn representative had yet signed the complaint.

According to the charges, the national AFT is also investigating the MFT and Devlin "for violations of the [federal] Labor Management Reporting and Disclosure Act." The three MFT-AFT locals also warn that the FEC violations are "only the tip of the iceberg" — that the MFT executive board is guilty of many other misuses of teacher dues and agency fee payments. According to the suit, teachers in Boston — and elsewhere — have been sending money to MFT which the state union has then used to pay legal bills contracted by the locals to which executive board members belong — a violation of a "long-standing union policy."

The three MFT-AFT locals condemn the "corrupt practices of our [MFT] executive board" and warn that the FEC needs to act promptly to bring the MFT leaders to the dock. They are "conspirators," the locals charge, and unless they are quickly restrained, "[MFT] records may be altered or destroyed."

Over the years, most MTA-NEA leaders and other members have objected strenuously to the corrupt practices associated with self-perpetuating union bureaucracies, like those of the MFT and AFT. The Association itself has acted to prevent such unethical behavior by drawing a heavy line between members and their *elected* leaders, on the one hand, and *staff employees* on the other. The "balance of power" thus achieved has helped to guarantee that every penny MTA-NEA members pay in dues (and agency fees) is used to *help teachers* and schools, rather than to help union employees advance their personal careers — as, by winning election to the national AFT executive board and to the Democratic National Convention.

Boston Teachers Voice MTA-NEA  
735 Morrissey Blvd.  
Boston, MA 02122

**FEDERAL  
EXPRESS**

YOUR F.E.C.  
ACCOUNT NUMBER

FROM Your Name

DEPARTMENT FLOOR NO

COMPANY

STREET ADDRESS

CITY

PURCHASE ORDER NO OR  
YOUR REFERENCE NO

PAYMENT ☒ Bill Shipper ☐ B. Cons. gree F.E.C. Acct. No  
☐ Cash In Advance ☐ B. 3rd Party F.E.C. Acct. No

SERVICE (Check One)  
DELIVERY INSTRUCTIONS (Check Services Required)

☐ Priority One Day  
☐ Overnight Envelope  
☐ Overnight Box  
☐ Overnight Tube  
☐ Standard Air  
☐ Standard Day

☒ Courier Pak  
☐ Overnight Envelope  
☐ Overnight Box  
☐ Overnight Tube  
☐ Standard Air  
☐ Standard Day

☐ N.A. ☐ N.A. ☐ N.A. ☐ N.A. ☐ N.A. ☐ N.A.

☐ N.A. ☐ N.A. ☐ N.A. ☐ N.A. ☐ N.A. ☐ N.A.

RECEIVED ☐ Shipper's Door ☐ F.E.C. Station  
AT

FEC-S-0049 1-79

PLEASE PRINT OR TYPE

PLEASE COMPLETE ALL INFORMATION IN THE 5 BLOCKS OUTLINED IN ORANGE  
SEE REVERSE SIDE FOR COMPLETE PREPARATION INSTRUCTIONS

DATE AIRBILL NO 36306785

TO Consignee's Name *ATLANTA LEGISLATIVE COUNCIL* ☐ Hold For Pick Up Phone No

COMPANY *FEDERAL ELECTION COMMISSION*

STREET ADDRESS *1335 K Street NW*

CITY *WASHINGTON DC* STATE ZIP

PURCHASE ORDER NO OR  
CONSIGNEE REFERENCE NO

DECLARED VALUE CHARGE  
EMP NO AGT PRO

ADVANCE ORIGIN  
AGT PRO

CASH RECEIVED  
AGT PRO

RETURN SHIPMENT  
THIRD PARTY

STREET ADDRESS  
ADDRESS CORRECTION

CITY STATE ZIP  
TOTAL CHARGES

RECEIVED BY SIGNATURE  
DATE TIME

X

BILLING COPY

8 0 0 4 0 2 2 1 7 3 1  
Angoff, Goldman, Manning, Pyle & Wanger P.C.  
44 School Street  
Boston, Massachusetts 02108

74

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**For:**

Office of General Counsel  
Federal Election Commission  
1325 K Street, Northwest  
Washington, D.C. 20463  
Attn: Lee Andersen, Esquire

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RECEIVED

JUL 2 AM 11:13





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR #

1251

Date Filmed

10/30/80

Camera No. --- 2

Cameraman

GRC



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE  
PUBLIC FILE OF CLOSED MUR 1251.



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710087  
GCC 2652

ANGOFF, GOLDMAN, MANNING, PYLE & WANGER  
Counsellors at Law

44 SCHOOL STREET

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(617) 723-5500

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JOHN F. McMAHON  
JOANNE F. GOLDSTEIN  
JONATHAN P. HIATT  
ELIZABETH A. KOVALCIK  
DAVID B. ROME  
HOWARD B. LENOW

SAMUEL E. ANCOFF  
Of Counsel

SIDNEY S. GRANT  
(1929-1957)

September 11, 1980

Charles N. Steele, Esquire  
General Counsel  
Federal Election Commission  
Washington, D.C. 20463

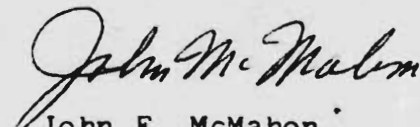
RE: MUR 1246 and MUR 1251

Dear Mr. Steele:

Massachusetts Federation of Teachers and its executive board respondents in MUR1246 consent to immediate publication of the Commission's determination on September 2, 1980, and the closing of its file in that matter.

My clients inquire as to the status of the Federation's Complaint in MUR1251 against the Massachusetts Teachers Association, NEA and four (4) named individuals.

Very truly yours,

  
John F. McMahon

JFM/keb

cc: Paul Devlin

30 SEP 15 11:37

GENERAL COUNSEL

60040223146

710586  
80 OCT 17 P2:49  
CCE#  
3005

October 14, 1980

Federal Election Commission  
Washington, DC 20463

Attention: Mr. R. Lee Andersen

Dear Mr. Andersen:

Please send me a copy of the Federal Election Commission's  
report on MUR 1246.

Also, can you give me information on the status of MUR 1251.

Thank you very much for your co-operation.

Fraternally,

*Donald A. Pofcher*  
Donald A. Pofcher

8 Locust Street  
Salem, MA 01970  
(617) 744-3710

23 10 11 00 00

RECEIVED

10 OCT 17 1980

0000400223147

PS Form 3811, Jan. 1979

● **SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)  
☐ Show to whom and date delivered. ....  
☐ Show to whom, date and address of delivery. ....  
☐ **RESTRICTED DELIVERY**  
 Show to whom and date delivered. ....  
☐ **RESTRICTED DELIVERY.**  
 Show to whom, date, and address of delivery. \$ \_\_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**  
*Grace M. Dunn*

3. **ARTICLE DESCRIPTION:**  
 REGISTERED NO. *50897B* CERTIFIED NO. \_\_\_\_\_ INSURED NO. \_\_\_\_\_  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent  
*M. J. Paresky*

4. **DATE OF DELIVERY** *10-14-80* **POSTMARK** *1980*

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:** *1251 address* **CLERK'S INITIALS**

☆ GPO : 1979-298-848

PS Form 3811, Jan. 1979

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Add your address in the "RETURN TO" space on reverse.

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☐ **RESTRICTED DELIVERY**  
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☐ **RESTRICTED DELIVERY.**  
 Show to whom, date, and address of delivery. \$ \_\_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**  
*Marianne Paresky*

3. **ARTICLE DESCRIPTION:**  
 REGISTERED NO. *50897B* CERTIFIED NO. \_\_\_\_\_ INSURED NO. \_\_\_\_\_  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent  
*M. J. Paresky*

4. **DATE OF DELIVERY** *10-14-80* **POSTMARK** *1980*

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:** *1251 address* **CLERK'S INITIALS**

☆ GPO : 1979-298-848

00040023149

PS Form 3811, Jan. 1978

2

1. The following service is requested (check one.)

☐ Show to whom and date delivered.....

☐ Show to whom, date and address of delivery.....

☐ RESTRICTED DELIVERY

Show to whom and date delivered.....

☐ RESTRICTED DELIVERY.

Show to whom, date, and address of delivery \$.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Donald A. Papcher

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	028976B	

(Always obtain signature of addressee or agent)

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10/16/80

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

1251 Andersen

6. UNABLE TO DELIVER BECAUSE:

CHICKS BIRTHDAY

☆GPO : 1978-288-848

PS Form 3811, Jan. 1978

1. The following service is requested (check one.)

☐ Show to whom and date delivered.....

☐ Show to whom, date and address of delivery.....

☐ RESTRICTED DELIVERY

Show to whom and date delivered.....

☐ RESTRICTED DELIVERY.

Show to whom, date, and address of delivery \$.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Kevin J. Cassidy

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	188976B	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

127 Wood

6. UNABLE TO DELIVER BECAUSE:

CHICKS BIRTHDAY

☆GPO : 1978-288-848



PS Form 3811, Jan. 1979

**SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

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☐ RESTRICTED DELIVERY  
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☐ RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery \$  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 John F. McMahon

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 940518  
 (Always obtain signature of addressee or agent)  
 I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent  
 4. DATE OF DELIVERY 10-14-80  
 5. ADDRESS (Complete only if requested)  
 6. UNABLE TO DELIVER BECAUSE:

POSTMARK: OCT 14 1980  
 CLEVELAND, OH

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1251 Anderson ☆ GPO : 1979-208-948

PS Form 3811, Jan. 1979

**SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)  
☐ Show to whom and date delivered.  
☐ Show to whom, date and address of delivery.  
☐ RESTRICTED DELIVERY  
 Show to whom and date delivered.  
☐ RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery \$  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
 Jeffrey M. Friedman

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 518776  
 (Always obtain signature of addressee or agent)  
 I have received the article described above.  
 SIGNATURE ☐ Addressee ☐ Authorized agent  
 4. DATE OF DELIVERY  
 5. ADDRESS (Complete only if requested)  
 6. UNABLE TO DELIVER BECAUSE:

POSTMARK: OCT 14 1980  
 CLEVELAND, OH

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1251 Anderson ☆ GPO : 1979-208-948





# FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

END OF ADDITIONAL MATERIAL FOR CLOSED MR 1251.

00040223151

