

Gingrich Hearing May Start Friday

Republicans Shift Emphasis to Leak of Conference Call Tape

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The House ethics committee appeared headed toward a public airing of its charges against House Speaker Newt Gingrich (R-Ga.) on the eve of President Clinton's inauguration as GOP leaders yesterday accused Democrats of leaking a tape of a telephone conference call involving the speaker to take attention from the president's problems.

Rep. Bill Paxon (R-N.Y.), a member of the House leadership, said on CNN's "Late Edition" that the ethics committee would hold televised hearings from Friday through Monday—the day of Clinton's swearing-in ceremony on the West Front of the Capitol—and the House would vote Tuesday on punishing Gingrich, who last month admitted that he broke House rules.

But other House officials cautioned that those plans could yet derail. The ethics committee has not announced a hearing schedule and Rep. Nancy L. Johnson (R-Conn.), the panel's chairman, has said one would not be discussed until special counsel James M. Cole submitted his written report detailing his findings, which is due Thursday.

Ethics committee Republicans abruptly and unilaterally canceled hearings that were to have begun today after a partisan fight over how much and what kind of information lawmakers would have before the vote on punishing Gingrich, which House GOP leaders insist take place Jan. 21.

House Minority Leader Richard A. Gephardt (D-Mo.) said hearings next weekend, when much of the nation's attention would be focused on festivities surrounding the inauguration, would not be adequate. "Why are we rushing to get through this?"

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he asked on NBC's "Meet the Press." "I think it's only to cover it up, to make sure people don't have the facts."

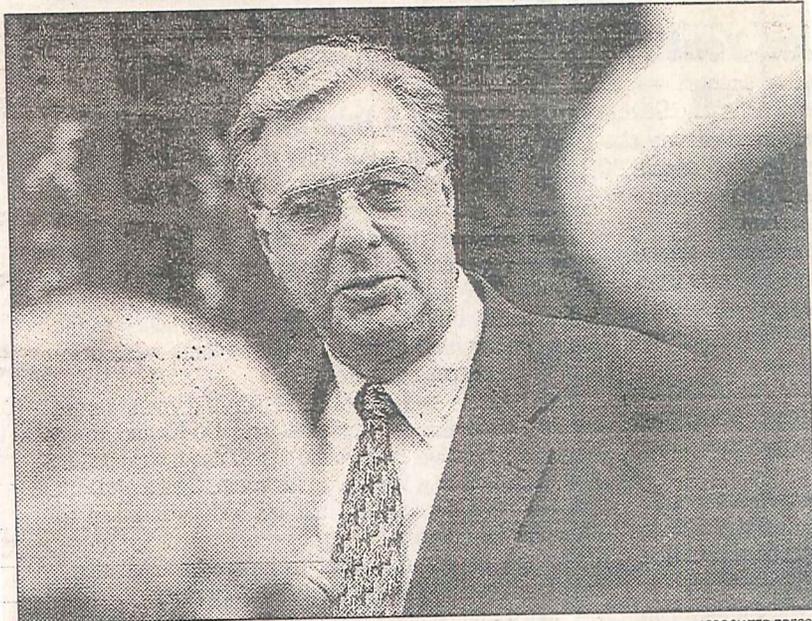
Democrats hope public hearings will dramatize the case against Gingrich, increasing political pressure on the House to punish him severely or on him to step down.

Two new polls indicate weak public support for the speaker. Of the 1,015 adults interviewed for a CNN/Time poll, one-third said Gingrich is "honest enough to be speaker," while 54 percent said he was not. A Newsweek poll of 753 adults found that nearly half said Gingrich "should step down now" because his ethics case "has weakened his ability to lead his party."

On yesterday's television shows, Gingrich's Dec. 21 admission he broke House rules was overshadowed by a dispute over a taped telephone call the same day of the speaker and his leadership team discussing how to limit the political and media damage.

House Appropriations Committee Chairman Bob Livingston (R-La.) said the tape was part of the Democrats' efforts to prolong Gingrich's ethics case to divert attention from Clinton's difficulties.

Today, the Supreme Court is to hear arguments on whether a civil suit against Clinton should go to trial while he is president. Paula Corbin Jones has accused Clinton of seeking sex with her and exposing himself to



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her in a Little Rock hotel room in 1991, while he was Arkansas governor and she was a low-level state employee.

"It's in the Democrats' interest to make sure they drag this out as long as possible," Livingston said on NBC's "Meet the Press." "Remember, what they really want to do is distract the American people from the Paula Jones, from the Whitewater, from the Travelgate, from the thousand FBI files in the White House—I mean, these are real violations of law."

Meanwhile, House GOP leaders say privately they suspect Rep. Jim McDermott (Wash.), the House ethics committee's top Democrat, was involved in leaking the taped conference call.

Thursday night, when the existence of the tape became known, McDermott denied knowing about it. He did not return telephone calls to his residences in the District and Seattle yesterday and calls to his offices in Seattle and on Capitol Hill went unanswered.

Democrats say that the tape,

which was obtained by the New York Times and the Atlanta Journal-Constitution, shows Gingrich violating an agreement made that day with the ethics committee not to orchestrate his own public defense.

Republicans say the tape shows Gingrich attorney Ed Bethune telling the GOP leaders and aides what they can and cannot do. "This conversation . . . if the transcript is read, validates that the speaker is working very hard to comply with that agreement," House Majority Leader Richard K. Armey (R-Tex.) said on ABC's "This Week."

The Times, which published a partial transcript of the call, said it obtained a copy of the tape from a House Democrat who said he got it from a north Florida couple Wednesday. The Atlanta paper has not said how it obtained the tape, which both newspapers said was made from a police scanner that picked up the conversation from a cellular telephone.

While not accusing McDermott, House GOP leaders said whoever was involved should be disciplined.

"If, in fact, it was Jim McDermott . . . he should resign the Congress immediately," said House Republican Conference Chairman John A. Boehner (Ohio), whose use of a cellular telephone as he drove his family from his home in southwestern Ohio to Marco Island, Fla., for vacation allowed the conference call to be intercepted. "This is outrageous." Boehner appeared on the Fox Network's "Fox News Sunday."

It is a federal crime to "intentionally intercept" telephone calls or to "intentionally disclose" their contents if a person knows the information had been intercepted. House GOP leaders have asked Attorney General Janet Reno to investigate.

The current issue of Time magazine quotes an ethics committee source, whom the magazine did not name, as claiming to have overheard McDermott talking to a Florida couple who insisted on personally handing him a package.

Two congressional aides who were in the ethics committee's anteroom Wednesday morning told The Washington Post yesterday that the

couple said they had been referred to McDermott by Rep. Karen L. Thurman (D), from the northern west coast of Florida.

Thurman did not return telephone calls to her office Friday or yesterday.

On Saturday, the Atlanta newspaper reported that a note accompanying the tape identified the couple as local Democratic activists who live in Fort White, Fla., which is not in Thurman's congressional district.

Time also reported that McDermott discussed the contents of the tape with Cole before its existence was publicly known. Cole said yesterday he would not comment.

One part of the transcript of the tape illustrates how the Democrats have become unwitting foils in Gingrich's damage control effort.

Edward W. Gillespie, the Republican National Committee's communications director, is quoted suggesting that GOP officials would not be violating the agreement with the ethics committee if they waited to respond to an anticipated statement from House Minority Whip David E. Bonior (D-Mich.), Gingrich's prime House adversary.

"Ed's very clever," Gingrich is quoted as saying.

Immediately after the ethics committee released its 22-page report and Gingrich's statement, House GOP leaders released a general statement of support. It was not until after Bonior's news conference later that afternoon that Republicans began to refer to the specifics of the panel's charges.

Last week, the Democrats appeared to continue to fall into traps of their own making by giving Republicans an opening to abbreviate the public hearings and allowing the new issue of the leaking of the tape to divert attention from Gingrich's admitted wrongdoing.

The schedule the ethics panel announced Thursday morning—after nearly 14 hours of negotiations between committee Democrats and Republicans—was beneficial to Democrats. It allowed televised hearings to run for as many as eight days, gave members of the investigative subcommittee that brought

the charges against Gingrich unlimited time to make additional statements after Cole presented his case and did not limit ethics committee questioning of Cole.

House GOP leaders were unhappy with that agreement. One suggested privately that so many days of televised hearings could harm Gingrich so badly that leaders would have to delay the vote on punishment to repair the damage.

But Thursday afternoon, the five ethics committee Democrats complained to reporters that the schedule meant that Cole would not file his report before the House vote.

Four hours later, the five ethics committee Republicans seized on that event. After meeting privately with Armey, they held a news conference of their own to say that they were unilaterally changing the agreed schedule. Because Cole's report was so important to the Democrats, they said, they ordered it produced by Jan. 16 and delayed the hearings until after that.

Despite Democratic protests—backed by the House parliamentarian—that such a change requires a majority vote of the committee, that schedule is likely to prevail.

"What we're trying to do is abide by what the Democrats want and ask for, but they change that every day when they think that they're not getting enough time to be partisan," Rep. Susan Molinari (N.Y.), House Republican Conference vice chairman, said on NBC.

Similarly, the Democratic leak of the telephone conference call not only allowed the Republicans to change the subject, it provided them a new topic. "The real issue here is that the Democrats appear to have committed a felony in order to perpetuate their continuing attack on Newt Gingrich," Boehner said yesterday.

FOR MORE INFORMATION

To read the full text of the House ethics committee report on Newt Gingrich, click on the above symbol on the front page of The Post's site on the World Wide Web at <http://www.washingtonpost.com>