

Action Urged On Gingrich Before Jan. 7

*Ethics Chair Johnson
Wants Issue Resolved*

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The chairman of the House ethics committee said yesterday she is pressing for an early and public decision on the fate of Speaker Newt Gingrich (R-Ga.) that would wind up his case before Congress reconvenes Jan. 7 and the House elects its speaker.

After a telephone conference call with members of the Committee on Standards of Official Conduct, Chairman Nancy L. Johnson (R-Conn.) said in an interview she hoped to have final agreement by Monday on a timetable and procedure for bringing the case to a conclusion.

The reported timetable would allow Gingrich to turn back demands from Democrats that he stand aside and not seek reelection until the ethics panel has recommended an appropriate punishment for the violations of House rules he admitted a week ago. But it would also entail a public airing of the charges against him and conceivably could bring Gingrich before the press and cameras to defend the actions that he conceded in a written statement "did not reflect creditably on the House of Representatives."

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Ethics Panel May Decide Gingrich Punishment

GINGRICH, From A1

Meanwhile, Democrats have been circulating documents that raise new questions about Gingrich's defense of his actions and a survey of House Republicans suggested some are not ready to support Gingrich's reelection as speaker before the ethics committee completes its work.

In a telephone interview from Connecticut, Johnson said, "My goal has been and is to wrap this up as promptly as possible and finish our business on our watch." The committee formally expires with the end of the 104th Congress on Jan. 6 and several of the members, including Johnson, have indicated they will not serve on the committee in the 105th Congress.

Johnson would not go beyond that, but other committee sources said the canvass of the 10-member panel, equally divided between Democrats and Republicans, found there was "not a lot of disagreement" that the deliberations on what punishment to recommend for Gingrich should be public. The feeling is, one informed source said, that "the public needs to know and to hear directly" from the committee's counsel, committee members and, if he wishes, from Gingrich himself.

Rep. Porter J. Goss (R-Fla.), who headed the four-member investigative

subcommittee that filed the charges, said in a separate interview that "on a bipartisan basis, the committee is determined that the public will be fully informed. At the appropriate point, there will be more public revelations. It's going to happen. What we are talking about is the best path to get there."

A week ago, Gingrich agreed to a 22-page statement of findings by Goss's subcommittee that he had violated House rules and "engaged in conduct that did not reflect creditably on the House" by failing to secure legal counsel that would have steered him away from using tax-exempt charitable contributions to underwrite partisan activities and for submitting information to the ethics committee that he "should have known was inaccurate, incomplete and unreliable."

The controversy over the financing of a course Gingrich taught at two Georgia colleges and beamed to conservative gatherings has burgeoned into an angry battle between Democrats demanding he step aside as speaker and Republicans insisting he can and should be reelected to that post Jan. 7.

The full ethics committee has the responsibility now of recommending to the House what degree of discipline Gingrich should receive, which could range from reprimand to expulsion.

Johnson indicated that she and oth-

ers on the ethics panel have been dismayed about the way in which Gingrich's supporters and his critics have quoted selectively from the investigative subcommittee's report and offered sharply contrasting interpretations of the findings to buttress the case for his retention or removal as speaker.

"Knowledge is power," she said, "and it is very important for both the public and the members to have good information available to them" before the vote on electing a speaker occurs on Jan. 7. "Good information is essential if we are going to restore confidence in the House and in the ethics procedure."

Johnson has had difficulty reaching the members of the committee, but she tracked them down one by one and arranged the conference call yesterday morning. "There are still things to work out," she said, "but I think I will have a handle on whether we can achieve our goal by Monday."

Meanwhile, Democrats attempted to deepen doubts about Gingrich by circulating internal memos showing that he was warned six years ago by lawyers against involving charitable or educational foundations in political projects. They said the memos raised serious questions about the accuracy of the speaker's statement last week to the ethics subcommittee that he did not seek legal advice until later.

in Public

As reported initially by the Atlanta Journal-Constitution yesterday, two attorneys warned in separate 1990 memos to avoid or use caution in involving tax-exempt organizations in political activities. The warnings were contained in memos submitted by the attorneys to GOPAC, a political action committee then headed by Gingrich, and to workshops sponsored by GOPAC.

Other documents indicated Gingrich continued to consult one of the attorneys, Gordon Strauss, while he was organizing a course called "Renewing American Civilization" at Kennesaw State College in 1993.

In one of the memos, Daniel J. Swilinger, also a GOPAC attorney, urged supporters of a GOPAC-supported workshop to "please consult your lawyer" if political organizations and tax-exempt foundations are to be involved.

In his settlement with the ethics subcommittee, Gingrich said he was "overconfident and in some ways naive" in his endeavors. "I did not seek legal counsel when I should have in order to ensure clear compliance with all applicable laws, and that was wrong," he said.

Gingrich spokesman Tony Blankley said yesterday the gist of the lawyers' advice was that, while it was improper for an educational organization to contribute to a political activity, political

groups such as GOPAC could help educational endeavors. "He [Gingrich] was told what he could and couldn't do and followed that advice," he said.

Democrats disagreed, saying the lawyers clearly drew the line between political and nonpolitical operations and Gingrich overstepped it, even after his own lawyers advised him not to do so.

"These documents change the nature of the whole debate because he knew what the law required," said Robert F. Bauer, an attorney who advises Democrats on ethics issues. "He hired a lawyer to give advice and received it but, when the time came, he ignored that advice. . . . This is the grossest kind of negligence."

A survey by the Associated Press showed reluctance from at least eight House Republicans to support Gingrich's reelection until they get more information about the ethics case and, in some cases, until the ethics panel decides on punishment. None went so far as to say he or she would vote against Gingrich. But, with Republicans controlling the House, 227 to 208, Democrats could prevail and deny Gingrich reelection if 20 Republicans vote "present," meaning they are refusing to vote yes or no.

"I just think it's premature to get too far out in front at this point," said representative-elect John Thune (S.D.), who represents the GOP freshmen to the party leadership. Thune said he does not intend to make a decision on Gingrich until the ethics panel acts.