

Ethics Panel Deadlocked on Gingrich

Party-Line Vote Blocks Democrat Bid for Outside Investigation

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The House ethics committee, now at a key turning point in deliberations on complaints against Speaker Newt Gingrich (R-Ga.), is deadlocked along party lines about appointing an outside counsel to investigate the allegations, according to sources familiar with the discussions.

The impasse threatens to delay any final action on the complaints for weeks and even months, Republican and Democratic activists

said, and in the long run could jeopardize the complaints themselves. It could force Gingrich's Democratic antagonists to turn elsewhere for a public airing of the five sets of ethics allegations against the speaker. Essentially, the complaints accuse Gingrich of blurring the lines between his office and the promotion of himself and his political agenda.

Democrats have been agitating for speedy committee action on the complaints or the hiring of an outside counsel. A number of Democrats and outside groups have con-

tended that an outside counsel is the best way to ensure an impartial review of the complaints against Gingrich, especially in view of the strong ties that several of the committee members have to the speaker. Outside counsels have been used in a number of high-profile ethics cases over the years that have required time-intensive, rigorous scrutiny.

Some Democrats have complained that the strongly partisan flavor of recent deliberations threatens to tarnish the panel's

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time-honored tradition of nonpartisan consensus-building.

The current stalemate appeared most dramatically at a closed-door meeting late last week when the five Democrats on the Committee on Standards of Official Conduct, as it is formally known, voted to endorse the hiring of a special counsel and the five Republican members voted against.

Rep. Jim McDermott (D-Wash.), the committee's ranking Democrat, made the motion to turn the complaints over to an independent counsel but he was opposed by his Republican colleagues, including committee chairman Nancy L. Johnson of Connecticut. Parliamentary motions die on tie votes.

Ethics committee proceedings are secret, but Johnson herself hinted at the deadlock when she emerged from the panel's five-hour session on the evening of May 11, telling reporters that the 10 members had encountered "disagreement" and "tough going" that night.

Gingrich has denounced the complaints as purely partisan politics, but they have diverted some

of his attention since the GOP recaptured the House in the November elections. He has recently distanced himself from two sources of ethical complaints against him, resigning the chairmanship of GOPAC, the political action committee, and stopping a televised college lecture series in which he discussed his political ideas.

In the politically charged atmosphere of the House under Gingrich, the complaints have brought the glare of attention on the ethics committee, particularly on Johnson, the presiding member. This week, she abandoned her usual practice of talking to reporters after committee sessions, stalking past journalists holding camp outside the door.

Johnson did make it clear that she will not lift the veil of secrecy the committee has enjoyed since its creation in 1968 as the peer review committee of the House. Asked this week if she would announce a vote on appointing outside counsel, she replied: "When the committee has come to the point where it is prepared to report, you will know."

"But everything that goes on in the committee

is not public information," she added. "And so, I'm not going to go through this kind of charade every day."

Sources said that while the proceedings inside the committee have generally been polite, the gulf between the two sides is enormous. Bridging the gap, some experts say, will take a long time.

The committee "does respond to outside perceptions and outside pressures," said Stanley M. Brand, who was counsel to the House in the 1970s and early 1980s. "But until the level of pressure on the committee becomes unbearable,

no decision gets made."

Ralph L. Lotkin, who served as the committee's chief counsel and staff director for five years until 1990, said the panel in the past "has successfully risen above partisan political pressure . . . always acting with a view to doing what was best for the institution."

While the complaints "may be locked up on a political party basis right now," Lotkin added, "whatever the committee does will reflect on the institution as being capable to fairly and objectively undertake its peer review responsibility."