



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, TUESDAY, MARCH 7, 1995

No. 42

House of Representatives

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore [Mrs. WALDHOLTZ].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

March 7, 1995.

I hereby designate the Honorable ENID G. WALDHOLTZ to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leaders limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. JOHNSTON] for 5 minutes.

ETHICAL VIOLATIONS: PAST AND PRESENT

Mr. JOHNSTON of Florida. Madam Speaker, until 2 weeks ago, in almost 20 years of public service, I had never filed a complaint against a colleague, even though I twice served on committees charged with investigating colleagues for ethical violations in the Florida State Senate with their censure or dismissal often hanging in the balance.

In 30 years of the practice of law, I never filed an ethics complaint against a colleague, even though again, I

served for many years on the grievance committee of the Florida Bar which recommended to the bar either disbarment, suspension, or reprimand for serious violations of ethical standards.

Accordingly, I do not take lightly such complaints against a colleague, and in particular, the Speaker of the House.

On Wednesday, February 22 of this year, I became a signatory, along with Congresswomen PAT SCHROEDER and CYNTHIA MCKINNEY, to a complaint filed with the House Committee on Standards of Official Conduct against Speaker NEWT GINGRICH.

The first response to our complaint by the Speaker was communicated through his staff assistant, who, according to the Washington Post, " * * * accused the lawmakers who filed the complaint of 'malicious imbecility.' " I consider this a rather intemperate remark, to say the least, and as much as the spokesman is an employee of the House of Representatives and a surrogate of the Speaker, I find his tone and language both offensive and inappropriate.

On Friday of the same week, Mr. GINGRICH made the following statement with respect to our complaint: "They are misusing the ethics system in a deliberate, vicious, vindictive way, and I think it is despicable and I have just about had it."

I do not plan to discuss the merits of the complaint against Mr. GINGRICH this morning. I believe that would be improper, because the matter is now within the jurisdiction of the Committee on Standards of Official Conduct. If and when there are charges filed against the Speaker by the committee, the full House will sit in judgment of these charges. I will comment, however, on the history of the Speaker's complaints against a former colleague.

It is common knowledge that Mr. GINGRICH filed numerous complaints against Speaker Jim Wright in 1988,

and I quote at length from an article in the New York Times dated June 10, 1988:

The New York Times has examined the case against Mr. Wright through interviews with the House Republican who has been his main accuser, as well as with the Speaker's attorney and legal experts and through a review of the House rules, transcripts of congressional debate of those rules and other documents.

In the course of that examination, the Speaker's primary critic, Representative Newt Gingrich of Georgia and Mr. Gingrich's aides said that there were errors and gaps in the complaint that he had filed with the Ethics Committee and that led to the panel's proceedings, but they said that what was most important was a full inquiry into the Speaker's actions, as well as a review of the adequacy of the House rules.

The case against Mr. Wright as laid out in the complaint is not particularly strong, according to Mr. Gingrich and his aides. Mr. Gingrich said in an interview earlier this week that the two counts involving oil investments had been included in his complaint solely "out of curiosity" and that "I don't expect them to be actionable items."

Let me repeat that 7 years ago, Mr. GINGRICH told the New York Times that he filed two counts against the Speaker of the U.S. House of Representatives solely out of curiosity and with no expectation of their being actionable.

My complaint against the Speaker of the House on February 22 certainly was not conceived out of curiosity and certainly does not rise or fall to the level of malicious imbecility, and certainly, as quoting the Speaker in reference to this complaint, is not offered in a deliberate, vicious, vindictive way. I would never charge a colleague with misconduct and the violation of a law and ethics, as I have done, without serious and conscientious deliberation and conviction.

Continuing in a historical vein, I have attached to these remarks a press release issued by Mr. GINGRICH through

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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his congressional office, dated July 28, 1988. In this press release, Mr. GINGRICH demands that the special counsel appointed to investigate House Speaker Jim Wright be given carte blanche authority. Let me point out that this special counsel was appointed under a Democratic Congress with the consent of the then-Speaker, Jim Wright. I quote from this press release:

The rules normally applied by the Ethics Committee to an investigation of a typical Member are insufficient in an investigation of the Speaker of the House, a position which is third in line of succession to the Presidency and the second most powerful position in America. Clearly this investigation has to meet a higher standard of public accountability and integrity.

So far, the Speaker of the House, Congressman NEWT GINGRICH, has failed to respond publicly to three charges lodged against him in the Committee of Standards of Official Conduct, except in terms of the vernacular that I quoted earlier, nor has he consented to the appointment of a special counsel. It is he who placed himself in the glasshouse 7 years ago. It is he who has raised the questions of integrity, character, and conflict with which we now contend, and it is he alone who can remove this cloud, not only from himself, but from the body over which he now presides.

NEWT GINGRICH is third in line of succession to the Presidency, occupying the second most powerful position in America. As such, and to quote his own words, "Clearly, this investigation has to meet a higher standard of public accountability and integrity."

GINGRICH INSISTS ON THOROUGH INVESTIGATION

WASHINGTON, DC.—Congressman Newt Gingrich (R-GA) today insisted that the House Ethics Committee give the special counsel appointed to investigate House Speaker Jim Wright the independence necessary to do a thorough and complete job. Discouraged by several news reports that special counsel Richard Phelan would be restricted in the scope of his investigation, Gingrich took a series of actions including writing to House Ethics Chairman Julian Dixon (D-CA), forwarding the letter to his colleagues in the House, and speaking on the House floor on the need for a truly independent counsel with full leeway in pursuing the investigation.

In his letter to Chairman Dixon, Gingrich wrote:

"I have a number of concerns regarding the Ethics Committee's contract with and instructions for the special counsel hired to conduct the investigation into Speaker Jim Wright's questionable financial dealings.

"First, I am concerned that the scope, authority, and independence of the special counsel will be limited by the guidelines the Ethics Committee has established."

Gingrich agreed with concerns raised by Common Cause Chairman Archibald Cox in a letter to Chairman Dixon earlier this week. The Common Cause letter urged the Ethics Committee to commit itself to the following measures:

1. The outside counsel shall have full authority to investigate and present evidence and arguments before the Ethics Committee concerning the questions arising out of the activities of House Speaker James C. Wright, Jr.;

2. The outside counsel shall have full authority to organize, select, and hire staff on a full- or part-time basis in such numbers as the counsel reasonably requires and will be provided with such funds and facilities as the counsel reasonably requires;

3. The outside counsel shall have full authority to review all documentary evidence available from any source and full cooperation of the Committee in obtaining such evidence;

4. The Committee shall give the outside counsel full cooperation in the issuance of subpoenas;

5. The outside counsel shall be free, after discussion with the Committee, to make such public statements and reports as the counsel deems appropriate;

6. The outside counsel shall have full authority to recommend that formal charges be brought before the Ethics Committee, shall be responsible for initiating and conducting proceedings if formal charges have been brought and shall handle any aspects of the proceedings believed to be necessary for a full inquiry;

7. The Committee shall not countermand or interfere with the outside counsel's ability to take steps necessary to conduct a full and fair investigation; and

8. The outside counsel will not be removed except for good cause.

Gingrich wrote to Chairman Dixon, "It is my impression from press reports that the Ethics Committee has specifically failed to meet the Common Cause standard. Furthermore, it is my understanding that the special counsel cannot go beyond the six areas outlined in your June 9, 1988, Resolution of Preliminary Inquiry. This leads me to believe that the special counsel will not be allowed to investigate the questionable bulk purchases of Mr. Wright's book, "Reflections of a Public Man," as a way to circumvent House limits on outside income.

"I am particularly concerned that the unusual purchases by the Teamsters Union, the New England Mutual Life Insurance Co., a Fort Worth developer, and a Washington lobbyist will not be investigated.

"I believe many will perceive this action as an attempt by the Ethics Committee to control the scope and direction of the investigation."

Gingrich requested a copy of the contract arranged between the Ethics Committee and Mr. Phelan. He also asked to know the extent of Mr. Phelan's subpoena power.

Gingrich said, "The House of Representatives, as well as the American public, deserve an investigation which will uncover the truth. At this moment, I am afraid that the apparent restrictions placed on this special counsel will not allow the truth to be uncovered.

"The rules normally applied by the Ethics Committee to an investigation of a typical Member are insufficient in an investigation of the Speaker of the House, a position which is third in the line of succession to the Presidency and the second most powerful elected position in America. Clearly, this investigation has to meet a higher standard of public accountability and integrity."

SPENDING CUTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from Florida [Mr. GOSS] is recognized during morning business for 5 minutes.

Mr. GOSS. Madam Speaker, I read in last Friday's Congress Daily that the chairman of the Budget Committee in the other body is looking for between

\$150 and \$200 billion in discretionary cuts as part of his effort to bring about a balanced budget. Some might see that as a difficult or even an impossible task. But a careful and honest assessment of all discretionary accounts yields heartening news. It can be done, I say. It can be done. There is at least this much nonpriority spending we can eliminate. In fact, I would argue that there is much more than \$150 to \$200 billion. As we move toward the budget and appropriations process, it is imperative that we address the wasteful spending that bloats our Federal budget, as everybody knows. As I have done for the last 3 years, I have again submitted to the budgetary leaders of both Houses of Congress my annual list of discretionary spending cuts for their consideration. These 75 cuts would save the American taxpayer \$275 billion over 5 years.

Madam Speaker, critics of the balanced budget amendment contend that it would mandate draconian cuts in entitlement programs because our discretionary budget simply just does not offer significant savings. The facts clearly show otherwise. In reality, we continue to fund outdated and duplicative programs that operate in the shadows serving our bureaucracy and special interests rather than the American people we work for. We desperately need to shed some light on these ancient programs. The Appalachian Regional Commission, a Great Society era created as a temporary response to poverty, continues to spend hundreds of millions of dollars annually with little discernible impact on the long-term economic health of the United States of America.

These are probably very worthy projects, but I do not think they really are getting at the core of poverty and they probably would not compete as well with other Federal dollars for more urgent needs. Only in Washington could this be construed as a legitimate response to poverty. The Rural Electrification Administration, which provides electricity for my home in Sanibel, formed in 1935 when only 10 percent of projects have included funding for the NASCAR Hall of Fame and most recently \$750,000 toward a new football stadium in South Carolina. Rural America had electricity, continues to spend billions of dollars subsidizing rural electric and telephone companies—this despite the fact that today 99 percent of rural America has electricity and 98 percent has phones. I suggest those who do not have it do not want it. Taken alone, each of these programs may not amount to large costs—but when you start adding them up, going through a whole list of projects, you can see why we have a budget crisis.

Unfortunately, programs like these are the rule rather than the exception. Of course, Government must lead by example. That is why I have proposed