

justice, respect and self-determination, he gained the admiration and respect of millions of Americans and most Members of this House of Representatives.

Cesar Chavez will be remembered for his tireless commitment to improve the plight of farm workers, children and the poor throughout the United States and for the inspiration his heroic efforts gave to so many Americans.

We in Congress must make certain that the movement Cesar Chavez began and the timeless lessons of justice and fairness he taught are preserved and honored in our national conscience. To make sure that these fundamental principles are never forgotten, I urge my colleagues to support this resolution. In the words of Cesar and the United Farm Workers, *si se puede*—yes, we can!

HONORING THE LIFE OF 1LT
NAINOA K. HOE, USA

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 26, 2005

Ms. HOOLEY. Mr. Speaker, today we honor the life, passion, and patriotism of Nainoa K. Hoe, First Lieutenant, United States Army, a fallen American hero.

Although I have shared the stories of selflessness and sacrifice of our fallen soldiers before, this time is different.

First Lieutenant Hoe never lived in the Congressional District I represent. Truth be told, he never lived in Oregon. But his wife Emily, her family, and their friends were hopeful about the day he might.

His widow is a senior at Western Oregon University; she is proud of him and his contribution. Her greatest concern has been for her husband's men, his family, and the friends in their life.

It seems that bravery, commitment to service, and honor were personality traits shared by husband and wife. The young Hoe family will not get the years they deserved, but they are an example of love that we should all strive to emulate.

Just days ago, First Lieutenant Hoe was killed while leading his platoon on a foot patrol in Mosul. With him, the dreams of a radiant young couple with so much to offer—so many things to live and do—were buried in the sand of a country in transition.

Sadly, First Lieutenant Hoe was almost home. His rotation nearly completed, he was scheduled to return to the Pacific Northwest on February 6, 2005.

Though proud of his contribution to the long-term stability of Iraq and its people, he was an excited newlywed, looking forward to building a family, winning a position at the FBI, and enjoying the freedoms he had worked so hard to protect.

For Nainoa, courage was a family value. He believed that military service was an expected privilege; a duty that he proudly discharged. He reveled in his role as a commander of a combat platoon—a duty similar to the kind his father Allen Hoe completed during his time in Vietnam.

First Lieutenant Hoe believed there was nothing more important—no duty more sacred—than defending the ideals of this Nation, of fighting for a cause greater than him.

He believed these things knowing full well it meant risking his life, liberty, and his own happiness.

I believe we live in a smaller world these days. It grows smaller with each tragedy such as this. Every life matters—especially when it holds such promise.

Oregonians today are feeling the loss. Let us commit ourselves, here—in this chamber—to work even harder and do our part to make sound decisions about matters of peace and war; to be worthy of the trust Nainoa K. Hoe placed in our hands.

Let us pledge ourselves to being worthy of the sacrifice Nainoa freely offered; we owe him, and those that will follow, nothing less.

FREE SPEECH AND FREEDOM OF
THE PRESS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 26, 2005

Mr. STARK. Mr. Speaker, not long ago, a Congressman from Ohio entered into the CONGRESSIONAL RECORD a recent newspaper account concerning his legal proceeding against Representative JIM McDERMOTT, my friend and colleague from Washington State. I was struck by this.

This story began with two newspaper accounts over 7 years ago. If we are going to reflect on this, I think it is only fair that Members of the House and the American people have access to the same basic information, so they can make up their own minds.

In this spirit, I am entering into the RECORD, and I would urge everyone to read, newspaper accounts carried by the New York Times and the Atlanta Journal Constitution. These stories disclosed efforts by then-Republican Speaker Newt Gingrich and Republican Members to skirt an agreement Gingrich had reached with the Ethics Committee.

At issue today are substantial issues concerning Free Speech and Freedom of the Press. The Courts have yet to render a full and final decision. While the legal process is underway, I believe we serve this House and the American people best by taking the time to be fully and fairly informed.

[From the New York Times, Jan. 10, 1997]

GINGRICH IS HEARD URGING TACTICS IN ETHICS CASE

(By Adam Clymer)

On the day in December when Newt Gingrich admitted bringing discredit on the House, his lawyer told Republican leaders that the Speaker had promised an ethics subcommittee not to use his office and his allies to orchestrate a Republican counterattack against the committee's charges.

That was part of the price for the subcommittee's agreement to accept his admission of guilt and spare him the potential humiliation of a full-scale public trial.

But that same day, even before the charges had been made public, Mr. Gingrich held a telephone conference call with other House leaders in which he made suggestions for a statement that the leaders would issue immediately after the subcommittee's charges were disclosed.

He also suggested the timing of various responses to Democratic attacks. The politicians agreed among themselves how they could use their opponents' comments to at-

tack the subcommittee's findings indirectly without technically violating the agreement that Mr. Gingrich's lawyers made with the ethics subcommittee.

The call was taped by people in Florida who were unsympathetic to Mr. Gingrich and who said they heard it on a police scanner that happened to pick up the cellular telephone transmissions of one of the participants. It was given to a Democratic Congressman, who made the tape available to The New York Times. Mr. Gingrich's office today did not question the authenticity of the conversation, but insisted that it did not violate any agreement with the ethics subcommittee.

The Speaker and his allies acknowledged at the time that their conversation was a bit "premature," since the subcommittee had not yet even voted on the charges against Mr. Gingrich. Nevertheless, they talked about how to handle inevitable Democratic attacks, how to time the day's events with newspapers, news agencies and the evening television news in mind, and—above all—how to avoid making all that look as if Mr. Gingrich was pulling the strings.

In the Dec. 21 conversation, Mr. Gingrich's lawyer, Ed Bethune, said, "it is very important for me to be able to say to the special counsel and if necessary to the committee members that we—and by that I mean the other attorney, Randy Evans, and I, and Newt—have done everything in our power to try to stop all things that might be construed in any way as an orchestration attempt by Newt Gingrich."

Mr. Gingrich, Mr. Bethune and the others discussed their tactics in a conference telephone call, a transcript of which was made available by a Democratic Congressman hostile to Mr. Gingrich who insisted that he not be identified further.

The Congressman said the tape had been given to him on Wednesday by a couple who said they were from northern Florida. He quoted them as saying it had been recorded off a radio scanner, suggesting that one participant was using a cellular telephone. They said it was recorded about 9:45 A.M. on Dec. 21.

The tape, in which the voices of Mr. Gingrich and other Republican leaders are clearly recognizable, was plainly a recording of a conversation that took place before the subcommittee released its charges and Mr. Gingrich's admissions.

The call capped a week of elaborate bargaining over the framing of the charges—and Mr. Gingrich's admission—that the Speaker had brought discredit on the House by giving untrue information to the ethics committee and by failing to get proper legal advice about the way he used money from tax-exempt foundations for a college course and televised town meetings with political overtones.

Mr. Gingrich's admission of guilt avoided a full-scale trial in which the details would have been televised nationally. In return, the committee's special counsel, James M. Cole, insisted on a promise that the Speaker would not use his allies to mount a counterattack against the subcommittee's case, since its rules forbade Mr. Cole and members from answering such attacks.

The tone of the conversation was optimistic. The Speaker and the other leaders believed that a coordinated response could enable them to limit political fallout.

And the talk, one of many that day, ended on a light note. After the basic outlines of the statement the leaders would issue had been agreed on, Representative Dick Army of Texas, the majority leader, had another suggestion for how Mr. Gingrich could handle the menacing accusation that he had deliberately lied to the committee: "I am not

sure you are ready for this, but you could quote Larry Gatlin and the Gatlin Brothers.”

Mr. Gingrich asked, “Which one is that?”

Mr. Arney warbled: “I did not mean to deceive you. I never intended to push or shove. I just wish that you was someone that I love.”

Today, Lauren Maddox, a spokeswoman for Mr. Gingrich, defended the Speaker’s role. She said: “Newt has always had the right to run for Speaker and campaign. Any statement he made was in no way undermining the work of the committee.”

She added: “There was a specific agreement between Newt’s lawyers and the special counsel that Newt could brief the leadership. And it was always understood that in turn, the leadership could respond in any way they thought was appropriate.”

In the December conversation, Mr. Bethune said in a couple of hours, once the subcommittee announced its actions, “it would also be a time when we are authorized to have the conversation that we are having now, a little prematurely. But I don’t think it would be troubling to anyone that we are a little ahead of the gun.”

Mr. Cole would not comment today, but the conversation itself suggested that the situation at the time seemed more complicated than Ms. Maddox contended.

Mr. Bethune, who served with Mr. Gingrich in the House for six years and now practices law in Washington, made several efforts to outline the slippery path that all must follow. One ally asked him what the leaders should say about any agreement between Mr. Gingrich and the subcommittee.

The lawyer replied: “No. I didn’t say there was an agreement. I said there was a delicate process under way and that this is what Newt is going to do, in response to the delicate process. There is no agreement, no deal. We are not authorized to say that.”

“Now if I can be very delicate here. There is one other constraint,” Mr. Bethune continued. “He can run for Speaker, but he must maintain his confidentiality as far as public statements. And then, finally, Newt will not orchestrate, nor will he be—he will not orchestrate any attempt to spin this in such a way that it belies what he is admitting today in the statement of alleged violations.”

But having barred one door, Mr. Bethune opened a window. “Having served as a member,” he said, “you know when documents become public, I as a member, am entitled to say whatever the hell I want to say about those public documents. I guess that applies to any of you all who may be listening.”

The men also talked about how they could use Mr. Gingrich’s main adversary, Representative David E. Bonior of Michigan, the House Democratic whip, as a springboard to make arguments that Mr. Gingrich’s agreement with the subcommittee would otherwise preclude.

“We know that Bonior is going to be having a press conference shortly thereafter, alleging a bunch of things that go too far,” said Ed Gillespie, communications director of the Republican National Committee. “Once he has kicked that off, that would give us an opportunity to then go back and refute what he has said, and we have not jumped the gun on opening and we have simply responded.”

Mr. Gingrich praised the suggestion. “Ed’s very clever,” he said. “Bonior, he will undoubtedly say things that are not true, will exaggerate what the committee has done.”

Representative Bill Paxon of upstate New York, a coordinator of moves by the Republican leadership in the House, said it was essential to have a quick response after the subcommittee released its material.

The Speaker suggested that a leadership response be put out by 2 or 3 p.m., within a couple of hours of his statement and the subcommittee’s statement. “I’m not an expert,” he said, but “at that point we’re in by the evening news, catch the morning papers.”

Then the group went over the statement, with various suggestions offered about how to say that the Speaker had never intentionally misled the ethics committee.

The Speaker sought to end the cross talk by saying, “Why don’t we pick up Ed’s language: ‘Although there is no charge that Newt intentionally misled the committee, Newt was responsible for the mistakes that were made?’”

Ultimately, the statement as issued changed a little. It said, “it should be noted, and is clear, he did not seek nor intend to mislead the committee.”

[From the Atlanta Journal-Constitution, Jan. 11, 1997]

GINGRICH ETHICS CASE: PANEL TRUSTED HIS MOTIVES, GINGRICH TOLD GOP ALLIES TAPE REVEALS CONFIDENCE TO SEEK SPEAKER’S POST

(By Jeanne Cummings)

WASHINGTON.—On the morning that Newt Gingrich admitted that he provided inaccurate information to the ethics committee, the speaker told his top advisers that he was convinced the two Republican members of the House ethics subcommittee believed it was not intentional.

As a consequence, Gingrich moved aggressively forward in his campaign to be re-elected as speaker with less fear that he would later be cut down by the ethics panel.

The speaker’s analysis was laid out in a conference call with his lawyer and top Republican lieutenants who were drafting a statement that would downplay the offense that could cost Gingrich his job: providing “inaccurate, incomplete and unreliable” material to the committee.

The conversation was picked up on a Florida couple’s scanner and a copy of the tape was obtained by The Atlanta Journal-Constitution and the New York Times.

The conference call focused on how the Republican leadership should react to the investigative subcommittee’s findings of alleged ethics violations and the speaker’s decision to concede them later that day.

When the speaker’s statement admitting the violations was released on a Saturday afternoon, reporters were handed the GOP leadership statement just moments after subcommittee members left a press conference area.

The subcommittee is chaired by Rep. Porter Goss (R-Fla.). The other members are Rep. Steven Schiff (R-N.M.), Rep. Nancy Pelosi (D-Calif.) and Rep. Ben Cardin (D-Md.)

In the taped conversation, which has been confirmed by the speaker’s office, Gingrich said: “I think that if the committee thought I had intentionally misled them, I would not be a candidate for speaker. Goss and Schiff would have called me in and said, ‘We will actively oppose you.’”

House Majority Leader Richard Arney agreed with Gingrich’s comments and said: “We have got to believe they have carried Pelosi and Cardin as far as they can. And in that case, what Newt has just said is absolutely correct. They couldn’t have carried them to where they are today if they were not confident they could defend Newt within their own circles.”

There is no indication on the tape that Gingrich spoke with Goss and Schiff about their conclusions in the case.

Rich Galen, a spokesman for Gingrich, said the speaker’s confidence came from a variety of impressions and experiences throughout

the investigation and not any direct conversations with his two Republican colleagues.

“The fact that they didn’t (confront Gingrich) was something he drew comfort from,” said Galen.

Goss and Cardin declined to comment.

Schiff said that while the speaker has extended contact with the subcommittee members during his two appearances before them, “there was no external contact.”

Pelosi said: “Any characterization of how we ended up where we did is something the leadership could not know.”

The discussion among Gingrich and his advisers that leads to his remarks about the ethics subcommittee members begins when Gingrich Chief of Staff Dan Meyer asks Gingrich’s attorney Ed Bethune if it would be appropriate to include a sentence in the leadership statement saying that the speaker did not intentionally mislead the committee.

“It seems that members need to understand that and it then will be fine,” Meyer inquired.

Noting that Gingrich had an agreement with the subcommittee not to coordinate an effort to undermine his own admissions, Bethune said, “Newt cannot be part of crafting any such statement.”

However, Bethune said “a member of Congress having received those documents can say anything they want to.”

The leadership then agreed to include a sentence in their statement that ultimately read: “It should be noted, and is clear, he did not seek nor intend to mislead the committee. We look forward to working with him as speaker following his re-election on January 7.”

INTRODUCTION OF THE VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 26, 2005

Mr. CASTLE. Mr. Speaker, I rise in support of this bill, which I am offering to ensure the continued success of vocational and technical education programs into the future. The bill, the Vocational and Technical Education for the Future Act, includes a number of positive reforms that will help strengthen vocational and technical education programs and improve opportunities for students.

Vocational and technical education, authorized under the Carl D. Perkins Vocational and Technical Education Act and known as the Perkins program, aims to prepare youth and adults for the future by building their academic and technical skills and ensuring they are equipped to proceed with postsecondary education or pursue other avenues. This program represents one of the largest federal investments in our nation’s high schools and is a key component of our secondary and postsecondary education systems.

According to the National Center for Education Statistics, 66 percent of all public secondary schools have one or more vocational and technical education programs with approximately 96 percent of high school students taking at least one vocational and technical course during their secondary studies. Vocational and technical education is an important postsecondary option as well. Over 2,600 postsecondary sub-baccalaureate institutions,