Harmony Promised **By Ford**

Softer Line Taken on Issue Of Privilege

Washington Post Staff Writer Vice presidential nominee Gerald R. Ford testified yesterday that if he were President he would not deny the courts documents bearing on possible crimes by anyone in the White House.

Ford's statement, made under sharp questioning by Senate Democratic whip Robert C. Byrd of West Virginia seemed to go further in shrinking the scope of executive privilege than President Nixon and his staff have been willing to go in the dispute over the Watergate tapes and related data.

Ford's testimony came as the Senate Rules Committee opened the first congressional hearings in history on the selection of a Vice President. The hearings began nearly one year to the day after President Nixon and Vice President Agnew won re-election in a landslide. Now, Agnew is gone, having resigned and pleaded no contest to an income tax charge, and President Nixon is engaged in a fierce Dispute with Congress over the Watergate break-in and alleged White House cover-ups of related actions.

Rep. Ford, nominated by the President under the 25th Amendment to succeed Agnew, needs a majority vote in each chamber to be confirmed. If yesterday's hearing is any sample, the congressman will roll through the Senate as easily as the Michigan football powerhouses, on which he played star center in the 1930s, bowled over their smallcollege opponents.

"As of now he looks fine," said Byrd after the first day's six hours of assured and confident testimony by Ford.

"I thought he did verv well," said Senate GOP Whip Robert P. Griffin of Michigan, a member of the committee who, as a House member in 1965, helped engineer the coup that propelled Ford to his present post of House GOP leader.

Rules Committee Chairman Howard W. Cannon (D-Nev.) said, "He was a very open and forthright witness. I'm impressed with the way he's been willing to respond." However, he told Ford there are still a few more questions and asked him to return Monday for more testimony. Other witnesses will follow.

Ford opened the hearing with a brief statement portraying himself as the White House apostle of peace to the Congress; the conciliatory word "compromise" was sprinkled liberally through the paragraphs.

"I come back to the first question: What makes you, Jerry Ford, qualified to be Vice President of the United States?" Ford's opening re-marks concluded. "My answer is that I believe I can be a ready conciliator and calm communicator between the White House and Capitol Hill,

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FORD, From A1

between the re-election man-93d Congress."

But in view of the massive dis- dent of the United States. putes between President

questions about his medical think Congress and the public history and his finances.

The natural drama of histo- sonal on Capitol Hill that President and his advisers."

Nixon may not finish his term.

One major focus was on the more precise reply. Nixon and Congress over exec- doctrine of executive priviutive privilege, impoundment, lege. Ford initially told the narrowed the question to this: charges of Watergate cover-up committee, under questioning Should executive privilege be and White House "dirty by Sen. Marlow W. Cook (R- invoked to shield potential evitricks," they were much more Ky.), "I don't think the Presi-interested in hearing how dent has unlimited authority dent's office, where the docu-Ford would behave if he were in the area of executive privi- ments were being sought by a

have an unlimited right to percommunications bedate of the Republican Presi- ry's first vice presidential con- tween the President and his dent and the equally emphatic firmation hearing was height advisers or any documents mandate of the Democratic ened by the growing feeling that go between a President

This statement - parallel to The nine members of the that the committee may be the White House position-Rules Committee welcomed passing judgment on a man proved too vague and loose for Ford's peacemaker promise. who may soon become Presi-Byrd. When his turn to question came, he pressed for a

In a series of queries, he President, and in clearing up lege . . . However, I don't court and didn't relate directly to foreign affairs and |court. "Yes, I believe I did," national security secrets?

Ford finally responded:

allegations of criminality and said, but if the courts ruled he those documents have material impact on guilt or innocence of the individual . . . it would seem to me . . . they should be made available."

To nail down what he obviously considered to be a commitment by Ford, Byrd returned to the same theme several hours later. He asked whether Ford had meant to the courts. say that if he were President he would decline to invoke executive privilege to deny documents demanded by a

Ford responded.

He might put the legality of "Where you have serious the matter to a court test, he should turn over the material, he would.

> On several occasions the Nixon administration has given the impression that it believes the President has inherent constitutional powers that might not be subject to

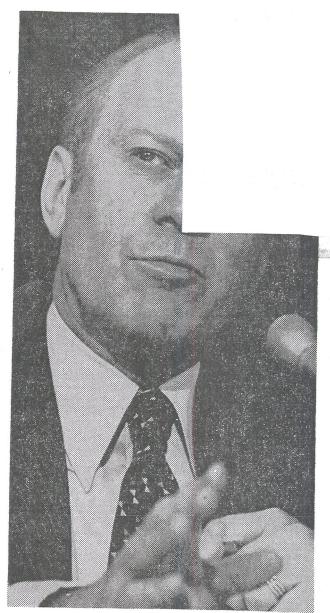
"I don't think any person is above the law," Ford declared. "I would strongly say any person, including the President, when a determination is made by the highest court in the land, ought to obey the court order."

Byrd also asked whether the new Watengate special prosecutor just appointed by Mr. Nixon "should be restricted by orders of the President from going to court" to seek presidential documents he believes are needed. Ford responded, "He should not," except possibly in some national security and foreign policy situations.

Ford further said, under questioning by Sen. James B. Allen (D-Ala.), that "it might have been much more helpful to the Senate as well as the courts" had President Nixon long ago revealed to Congress and Judge John J. Sirica the non-existence of two of the nine Watergate tapes, instead of battling for months over face of the impeachment move | In all these answers, Ford the tapes before announcing against Wednesday that two were missing.

the new special prosecutor ap- opinion . . . Impeachment is, powers, and the senators appointed by the President to a substantial degree if not peared pleased. ought to be confirmed by the entirely, a political decision." Senate, and that the impeachment study in the House judi- the war powers bill, limiting pound substantial portions of ciary Committee should go to 60 days the President's program funds voted by Conforward in order to clear the power to wage undeclared gress, while seeming less inair of charges against the President.

cessful House impeachment cide whether to allow the move against Supreme Court President to continue combat Sens. Cannon, Cook and Grif-Justice William O. Douglas, or not. Requiring combat to fin posed a series of questions Ford once said that an im- cease unless Congress acts af- on Ford's personal life and peachable offense is anything firmatively to authorize con-finances. It appeared that the the House considers it to be at tinuation isn't acceptable, he committee was inclined to aca given moment in history.



By Bob Burchette-The Washington Post Gerald R. Ford: "I can be a ready conciliator."

Ford said he had opposed the President's right to imwar, but only because it didn't clined to favor impoundments call for an automatic vote af- intended to kill an entire pro-In the course of an unsuc- ter 60 days to let Congress de- gram. said. (The House votes next cept Ford's explanations and Sen. Claiborne Pell (D-R. I.) week on whether to override denials of charges by former asked whether Ford, in the the Nixon veto of this bill.)

President Nixon, appeared to be a bit more willwould now go back on that ing than President Nixon to statement, and the nominee bow to congressional demands He told the committee that responded, "I'm still of that for restriction of presidential

However, he strongly backed

At the start of the hearings, lobbyist Robert Winter-Berger.