

Ford Accuser Faces Charge Of Perjury

11/8/73

By Spencer Rich

Washington Post Staff Writer

The Senate Rules Committee said yesterday it may recommend perjury charges against former lobbyist Robert Winter-Berger for his allegations that he gave vice presidential nominee Gerald R. Ford \$15,000 in unpaid "loans" from 1966 to 1969.

Winter-Berger, author of the controversial book "Washington Payoff," repeated to the committee in closed session his earlier charges that he had paid \$15,000 to Rep. Ford in order to "get an ear at court," as he described it later to reporters.

The committee is holding hearings on President Nixon's nomination of Ford to be Vice President, succeeding Spiro Agnew, who was forced to resign because of tax-evasion charges.

Winter-Berger also told reporters after finishing his closed-session testimony that he stood by a statement in "Washington Payoff" alleging that Ford had consulted New York physician Arnold Hutschnecker for psychotherapy for "at least a year."

See **FORD, A4, Col. 1**

Dr. Hutschnecker, who testified before the committee earlier yesterday, told reporters, "It is absolutely false. I never treated him. Winter-Berger has said a lot of things, and where he gets them I don't know. In everyday language we call it lies—or fantasies." Ford has also issued an absolute denial not only of the psychotherapy but of the \$15,000 "loan" allegation.

Rules Committee Chairman Howard W. Cannon (D-Nev.) said after the committee hearings ended yesterday that Winter-Berger had offered no documentation for any of his charges and "we do not consider him a credible witness."

Winter-Berger told the committee that of the \$15,000 total 10 per cent came out of his own pocket and 90 per cent from money he borrowed from an associate, the late Nathan Voloshen.

He said he never repaid Voloshen but sent him some clients in return. Voloshen, known as a Washington "fixer," pleaded guilty in 1970 to three counts of perjury and one count of conspiracy arising from charges he misused the name and telephones of former House Speaker John W. McCormack (D-Mass.) to impress clients and seek favors from government agencies.

Cannon said that in an earlier deposition to the committee, Winter-Berger said he paid the \$15,000 to Ford entirely out of his pocket and paid tax on the income from which the money was derived—an obvious contradiction of his testimony yesterday.

Cannon added that tax records indicated Winter-Berger could "not have made those contributions from personal income and did not pay taxes on it." His gross income, Cannon said, in 1966 was only \$14,076; in 1967, \$7,615; in 1968, \$1,643; and in 1969, \$4,912.

It was evident from statements by Sens. Cannon, Marlow W. Cook (R-Ky.), Robert P. Griffin (R-Mich.) and Robert C. Byrd (D-W.Va.) that the committee doesn't believe Winter-Berger's \$15,000 payment allegation, doesn't believe Ford was a patient of Hutschnecker and considers a variety of other Winter-Berger charges untrue.

Winter-Berger, however, insisted to reporters after



By Bob Burchette—The Washington Post

Author Robert Winter-Berger stands by his statement.

the testimony that all his charges are true. He said that while Hutschnecker is now saying he treated Richard M. Nixon years ago for medical purposes only (a statement reasserted under oath by the physician yesterday), "Dr. Hutschnecker had been bragging rather loudly in dinner parties that he had treated Dick Nixon . . . Privately he said it was for psychotherapy."

After the committee hearings Cannon said, "There is no documentation to support the payment of any cash to Mr. Ford. He did not offer documentation for any treatment of Mr. Ford by Dr. Hutschnecker."

As for the Winter-Berger assertions, denied by Ford and Ford aides, that the lobbyist had placed \$100 bills in wallets he gave as Christmas presents to three Ford staffers, Cannon said Winter-Berger had offered "only his statement" as evidence. Likewise, a Winter-Berger charge that Frank Kellogg had paid \$125,000 in campaign contributions to GOP

causes in order to obtain an ambassadorship through Ford was backed by "no documentation," Cannon said. Ford has denied the charge.

Cannon said the committee won't call Winter-Berger as a public witness, but will publish the transcript of his secret testimony.

After testimony by Americans for Democratic Action and NAACP, the committee will wind up hearings on the Ford nomination and "it is conceivable we could vote it out of committee as early as next week," Cannon said.

Byrd, the Senate Democratic whip, said he expected it to go to the floor "within a couple of days, three at most" after being reported. The House, which must also approve the nomination, starts hearings Nov. 15 before the Judiciary Committee.

On the possible perjury citation for Winter-Berger, the rules Committee will study the transcript and decide whether to refer it to the justice department for prosecution.

Perjury may not be the

only problem for Winter-Berger (who said he is writing another book). Some members of the committee pointed out that if he did borrow from Voloshen and had the debt written off in return for sending Voloshen some clients, the money would be income and taxable.

Several senators said Winter-Berger, who asserted in his book that he kept detailed diaries of his activities, admitted to the committee that there weren't any such diaries, only a few appointment calendars. He told the committee this was "literary license," one senator said.

Ford has conceded that he met Winter-Berger through an old family friend from Michigan, Alice Boter Weston Schowalter. Yesterday Mrs. Schowalter, appearing in closed session before Hutschnecker and Winter-Berger, denied a Winter-Berger statement that he paid her \$1,000 to introduce him to Ford.

Ford, in testimony last week and this Monday, told the committee he had once talked to Hutschnecker at Winter-Berger's request in 1966 for 15 minutes, on a purely social basis and absolutely not for treatment. Hutschnecker said yesterday the main subject of the conversation was problems of leadership and "I said I hope we never get involved in a war in Southeast Asia."

Winter-Berger, after leaving the committee, trudged down the hall of the Russell Building dressed in a twill overcoat with a wide fur collar and long-pile brown felt fedora. Asked his views on Ford, he said, "I think he'd be a good Vice President, considering the alternatives."

Then he added, "If you can find me a politician who's never taken a campaign contribution or never taken cash, you'd have to go to Outer Mongolia."