

Ford Questioned Sharply In Confirmation Hearings

Washington

Vice presidential nominee Gerald R. Ford estimated 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 (Dem-W.Va.), seemed to go further than President Nixon or White House aides have ever been willing to go in shrinking the scope of the executive privilege claim during the dispute over the Watergate tapes and related documents.

The house minority leader's testimony came as the Senate Rules Committee opened the first congressional hearings in American history on the selection of a vice president.

Ford, nominated by the President under the 25th Amendment to succeed Agnew, needs a majority vote in each chamber to be confirmed to the office. If yesterday's hearing is any sample, he will roll through the Senate with ease.

"As of now he looks fine," Byrd said after the first day's hearing ended following six hours of assured and confident testimony by Ford. "I thought he did very well," said Senate GOP whip Robert P. Griffin (Rep-Mich.), a member of the committee.

Rules Committee Chairman Howard W. Cannon (Dem-Nev.) said, "He was a

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very open and forthright witness. I'm impressed with the way he's been willing to respond." However, he told Ford as the hearing ended that there are still a few more questions and asked him to return Monday for more testimony.

STATEMENT

Ford opened the hearing with a brief statement portraying himself as the White House apostle of peace to the Congress, in which he sprinkled the conciliatory word "compromise" liberally through six or seven different paragraphs.

"I come back to the first question: What makes you, Jerry Ford, qualified to be vice president of the U.S.?" Ford's opening remarks concluded. "My answer is that I believe I can be a ready conciliator and calm communicator between the White House and Capitol Hill, between the re-election mandate of the Republican president and the equally emphatic mandate of the Democratic 93rd Congress."

The nine members of the Rules Committee were interested in Ford's peacemaker role, but in view of the massive disputes in recent months between the President and Congress over executive privileges, impoundment, charges of Watergate coverup and White House "dirty tricks," they were much more interested in getting Ford's views on how he would behave if he ever became President, and in clearing up questions about possible financial misconduct.

The natural drama of the first vice presidential confirmation hearing in all of American history was heightened by the growing feeling among some on Capitol Hill that President Nixon may not finish his term of office and that, in passing on

Ford, the committee may be passing on a man who has a strong chance to become President soon.

One major focus was on the doctrine of executive privileges. Ford initially told the committee, under questioning by Senator Marlow W. Cook (Rep - Ky.), "I don't think the President has unlimited authority in the area of executive privileges . . . however, I don't think Congress and the public have an unlimited right to personal communications between the President and his advisers or any documents that go between a President and his advisers.

This statement — parallel to the White House position — proved too vague and loose for Byrd, because when his turn to question came, he began to press Ford for a more precise answer.

Byrd asked whether the executive privilege should be used to shield potential evidence of crimes in the president's office, where the documents were being sought by a court and didn't relate directly to foreign affairs and national security secrets, and Ford, repeatedly passed on the point, finally responded:

"Where you have serious allegations of criminality and those documents have material impact in guilt or innocence of the individual they should be made available."

PRIVILEGE

Byrd returned to the same theme several hours later and asked Ford whether, in his earlier testimony, he had meant to say that if he were president, he would decline to invoke executive privilege to deny documents demanded by a court. "Yes, I believe I did," Ford responded, adding, however, that he might put the legality of the matter to a court and have



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GERALD FORD
'Ready conciliator'

it adjudicated, but that if the courts ruled he should turn over the material, he would.

In a related statement, bearing on whether a president is ever justified in disobeying the courts, Ford told the committee, "I don't think any person is above the law."

He told the committee that the new special prosecutor ought to be confirmed by the Senate, but appointed by President; that impeachment study in the House Judiciary Committee should go forward to clear the air of charges against the President, which he believes will be dispelled by the study.

Ford denied that he had ever "laundered" campaign funds, that he had exchanged favors in return for campaign contributions, and that he had received a \$15,000 loan from a one-time Washington lobbyist.

He also denied the claim of the onetime lobbyist, Robert Winter-Berger, that he had undergone treatment for a year by a New York City psychotherapist.

"The truth is," he said, smiling, "that I'm disgustingly sane. I've never undergone any kind of psychiatric treatment."

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