

# HOUSE UNIT BACKS FORD NOMINATION

Judiciary Committee Votes  
29 to 8—Final Approval  
Is Expected Thursday

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WASHINGTON, Nov. 29 —

The House Judiciary Committee approved the nomination of Gerald R. Ford as Vice President today by a vote of 29 to 8, with one member voting present.

Some of the Democrats who voted for confirmation expressed concern over Mr. Ford's conservative voting record, particularly on such issues as civil rights.

But Representative Jack Brooks, Democrat of Texas, drew laughter from Democrats and Republicans alike as he observed:

"If he becomes President, I think he'll be a vast improvement over the one we've got. I kinda like Jerry Ford. I'd like to promote him. I don't think Vice President is high enough."

The nomination is now scheduled to reach the House floor a week from today for a final vote, ending nearly two months of intensive investigation of the nominee and debate over his qualifications for high office.

If approved by the House, as now appears certain, Mr. Ford would immediately be sworn into office at a joint meeting of Congress in the House chamber in which he has served for 25 years.

Despite the fact that he is what he has called "a creature of the house," Mr. Ford has encountered far more opposition on home ground than he did in the Senate. He won unanimous approval of the Senate rules Committee and was confirmed by the Senate on Monday by a vote of 92 to 3.

House observers are predicting that from 30 to 50 votes will be cast against his confirmation by the 435-member House.

All of the opposing votes today came from liberal Democrats, including the three black members of the panel, John Conyers Jr. of Michigan, Barbara C. Jordan of Texas and Charles B. Rangel of Manhattan.

Also voting against were Elizabeth Holtzman of Brooklyn, Robert W. Kastenmeier of Wisconsin, Robert F. Drinan of Massachusetts, and Don Edwards and Jerome R. Waldie, both of California.

Representative John F. Seiberling, Democrat of Ohio,

voted present, explaining that he was reserving judgment until the nomination reached the House floor.

The committee action came after six days of hearings covering 36 hours and 34 minutes of prepared testimony, questioning and debate. Mr. Ford appeared before the committee for 19 hours and 11 minutes over a period of four days.

## Presidential Prerogative

While concerned over Mr. Ford's apparent conservatism, as reflected in his voting record over 25 years, Democrats who joined the Republicans in voting for the nomination said they believed that the President was entitled to choose a person of his own political philosophy.

"The President has the right to name a man with whom he can work," said Representative Peter W. Rodino Jr. of New Jersey, chairman of the committee.

Mr. Brooks, too, defended the President's right to name a man of his own political persuasion.

"Jerry Ford is a Republican; he's not a liberal Democrat like me," he said. "And I don't think we can make him into a Democrat. Frankly, I wouldn't support him for alderman. But I wouldn't expect (Mr. Nixon) to pick Bob Kastenmeier."

Mr. Kastenmeier, one of the eight who voted against Mr. Ford, is one of the most liberal Democrats in the House.

The motion to approve the nomination was made by Representative Edward Hutchinson, Republican of Michigan, the ranking minority member of the committee.

Miss Holtzman moved to table the motion but was defeated by a vote of 33 to 5. She contended that Mr. Ford had given conflicting testimony over whether he had had a part in trying to suppress a House Banking Committee investigation last fall into money involved in the Watergate affair.

She and others also questioned whether the Ford nomination might be unconstitutional under a provision barring appointment to any civil office of any member of Congress if the emoluments for that office have been increased during the current term of the civil officer or Congressman.

Mr. Ford voted for a bill that cleared Congress on Oct. 24 to liberalize the eligibility for cost of living increases in civil service and Congressional retirement annuities.

The same question arose in the Senate debate earlier this week and was resolved when Senator Howard W. Cannon, Democrat of Nevada, said he had been informed by legislative counsel that the Vice President is not "a civil officer within the meaning of the constitution."

Despite that ruling, Representative Bella Abzug, Democrat of Manhattan, said later today that she was looking into the possibility of court action to test the constitutionality of the Ford nomination.