

Road Clear for Ford

His wife was seated in the gallery, looking fiercely proud of her husband as the Senators began to vote, but the man himself was not present for the historic moment. Gerald R. Ford, 60, was waiting in the office of Minority Leader Hugh Scott, 100 paces down the hall. Ford, whose 25 years in the House have made him extremely sensitive to the niceties of protocol, was afraid that his appearance in the gallery, let alone on the floor, would be taken amiss by the Senators.

As it turned out, Ford had already carried the day. When the voting was done, 92 Senators had endorsed his nomination to the second highest office in the land, and only three—all liberal Democrats—had cried nay. Maine's William Hathaway felt that the confirmation should be held up until the question of President Nixon's impeachment was resolved, and both Wisconsin's Gaylord Nelson and Missouri's Thomas Eagleton felt that Ford was incapable of providing what Nelson called "the kind of inspirational leadership this nation will need should he succeed to the presidency."

Two days later, the House Judiciary Committee took up the argument that Ford might be ineligible for the vice presidency because the Constitution bars a Congressman from holding a

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NOMINEE GERALD FORD & WIFE
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"civil office" that has had its "emoluments" increased during his term on Capitol Hill. As it happened, the retirement benefits of federal employees were improved just this past fall. The committee cleared Ford's way by deciding that these did not count as emoluments and, more important, that the vice presidency was not a civil office.

That issue out of the way, the committee voted to recommend confirmation by a vote of 29 to 8, setting up the likelihood that Ford would be approved by the House this week as the nation's 40th Vice President.

As his confirmation was moving ahead, TIME has learned, Ford had to stage a behind-the-scenes skirmish with the White House to make sure that the swearing-in ceremony would be conducted in a way that he felt was proper. Nixon's staff wanted another television extravaganza in the East Room of the White House similar to the one in which the President announced his choice of Ford for the job. One top White House lieutenant admitted that this would be treating the installation of the Vice President like the appointment of a Cabinet officer. But after all, said the aide, "he's *our* Vice President."

This approach did not sit at all well with Ford, who has tactfully made the point during his month-long confirmation hearings that he did not "belong" to Richard Nixon on a number of issues. Faced with Ford's opposition, the White House quickly surrendered. This week, if all goes as planned, Chief Justice Warren Burger will swear in Jerry Ford as Vice President in his own setting—the hall of the House of Representatives.

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