

FORD'S TESTIMONY IS SET NEXT WEEK

House Panel Will Question
President About Pardon
at Televised Hearing
NYTimes

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WASHINGTON, Oct. 1—Representative William L. Hungate said today that President Ford would testify before a House subcommittee next week, no later than Thursday, about his pardon of former President Richard M. Nixon.

Mr. Hungate, chairman of the House Judiciary Committee's subcommittee on criminal justice, said that the hearing would be televised live but that Mr. Ford would not be placed under oath.

Close associates of President Ford said that his decision to appear before a Congressional subcommittee to answer questions about the pardon of Mr. Nixon was a reflection of his view that executive privilege is not the absolute right that many of his predecessors believed it to be. [Page 24]

The subcommittee sent the President three alternative days next week on which to appear and expects to hear Mr. Ford's choice of date tomorrow, Mr. Hungate, a Missouri Democrat, said.

Mr. Ford told the panel in a letter delivered last night that he would testify in person "at a mutually convenient time within the next 10 days." He will be the first sitting President since Abraham Lincoln to appear before a panel of Congress.

The subcommittee members are all familiar to those who followed the full Judiciary Committee's televised impeachment inquiry last summer.

In addition to Mr. Hungate, the Democrats are Robert W. Kastenmeier of Wisconsin, Don Edwards of California, James R. Mann of South Carolina and Elizabeth Holtzman of Brooklyn.

The Republican members are Henry P. Smith 3d of upstate New York, David W. Dennis of

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Indiana, Wiley Mayne of Iowa and Lawrence J. Hogan of Maryland. s

Mr. Hungate said that he would permit Representatives Peter W. Rodino Jr., Democrat of New Jersey, and Edward Hutchinson, Republican of

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Michigan, the chairman and ranking Republican on the Judiciary Committee, to participate in the Ford hearing. Other members of Congress, he said, would not participate.

Voters Termed Restive

Representative Fortney H. Stark, another California Democrat, spoke of the unrest that had arisen in his district after Mr. Nixon's pardon.

Mr. Stark told the panel, "I urge you to question Mr. Ford closely, for, with all due respect to the President, I believe your firm allegiance in that hearings is not to the Presidency, nor to political politeness, but to the American people, who will be looking to you to find the answers."

The sponsors of the two resolutions of inquiry that led to

Mr. Ford's scheduled appearance, Representatives Bella S. Abzug, Democrat of Manhattan, and John Conyers Jr., Democrat of Michigan, said today that they still hoped to take part in the questioning.

The questions, Mr. Hungate said, would be broadly limited to the 14 posed in the two resolutions. They deal with such matters as any negotiations between Mr. Ford and Mr. Nixon or their agents before the pardon, any information Mr. Ford had had about his predecessor's health at the time the pardon was granted and any legal advice that Mr. Ford received before issuing the pardon.

Most of the questions were addressed by the President at a news conference two weeks ago, when he insisted that he had made no "deHI" to pardon

Mr. Nixon before assuming office. He said then he had decided to grant the pardon out of a spirit of compassion and because he thought it was in the best interest of the country.

Although one of the questions deal specifically with the agreement signed by Mr. Nixon and the White House giving Mr. Nixon control over access to his Presidential tapes and papers, it appeared likely that questions about the agreement would be permitted.

Ford Statement Expected

Mr. Hungate said that he expected Mr. Ford would make an opening statement in which he gave answers to each of the questions. Then, Mr. Hungate said, each of the subcommittee members would be given five minutes to question the President.

Resolutions of inquiry are a procedure outlined in the rules of the House of Representatives to enable it to obtain answers to specific questions from the executive branch.

The procedure had not been used for 40 years before Mrs. Abzug rediscovered it three years ago. Since then, she has submitted a number of such resolutions on such issues as the Pentagon papers and the Middle East truce, but the result has never been so dramatic.

Some members of Congress expressed concern today that Mr. Ford's appearance in response to the resolutions would set a precedent and that he and future Presidents would be expected to testify personally every time such a resolution was offered.

Mrs. Abzug, however, said

that would not be the case. In most instances, she said, the questions can be adequately answered by a Cabinet or sub-Cabinet officer or by a Presidential assistant.

Hearing Asked on Tapes

WASHINGTON, Oct. (UPI)—The chairman of the Senate Republican Policy committee said today he would push for public hearings by the Judiciary Committee on a bill that would give the Government sole possession of former President Nixon's Watergate tapes and documents.

Senator John G. Tower of Texas said that he agreed with Senator Roman L. Hruska, Republican of Nebraska, who argued earlier that the Judiciary Committee "should be allowed to hold hearings and weigh the constitutionality of the bill."

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