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FOR IMMEDIATE RELEASE

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HEARINGS INTO THE NOMINATION OF GERALD FORD TO BE VICE PRESIDENT  
OPENING REMARKS OF CHAIRMAN RODINO  
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The Committee on the Judiciary meets this morning to begin an historic process.

For the seventeenth time in our history, there is a vacancy in the high office of Vice President. For the first time, however, the contingency of such a vacancy has been addressed by the Constitution.

In 1965 the Congress passed, and in 1967 the States ratified the 25th Amendment. It is section 2 of that Amendment -- calling upon the President to nominate, and the Congress to confirm, a new Vice President -- that occasions our consideration this morning.

The role of the Congress in this constitutional process is especially vital; the legislative history of the Amendment, and indeed the history of the Vice Presidency make clear the nature of our responsibility.

The American experience to date instructs us that what we may indeed be undertaking this morning is an examination of a man's qualifications and fitness to hold the highest office in America, that of President of the United States. On no fewer than eight occasions, Vice Presidents have succeeded to the Presidency during the tenure of an incumbent President.

John Tyler, Millard Fillmore, Andrew Johnson, Chester Arthur, Theodore Roosevelt, Calvin Coolidge, Harry Truman, and Lyndon Johnson all ascended to the Presidency during their terms as Vice President.

But in each one of those cases, these men had first gone before the full electorate as candidates for the high office which they held.

In the days ahead, however, we alone must act as the surrogate for the electorate in evaluating this nomination. That is the role designated for the Congress by the twenty-fifth Amendment, an Amendment whose roots are in this Committee. Many of us who sit here today helped to frame the provisions of this Amendment in 1965. We know that the legislative history makes fundamentally clear that only the fullest congressional consideration can lend to this critical appointment the legitimacy that is so vital to an effective service as Vice President.

We have heard talk of a need to weigh this nomination very carefully and deliberately at this particular moment in our history. That is of course sound thinking, and our consideration will indeed be judicious. But there will be no delay. This vacancy exists now. The language of the Constitution does not permit us to choose the moment we wish to act; it says merely "whenever" there is a vacancy. The President has submitted his nominee -- the Congress ought not act obstructively. The need for expeditious action will not diminish our responsibility to be thorough, but it will preclude any attempt to be dilatory.

All of us on this Committee know Gerald Ford; many of us have served with him in the House of Representatives for many years. But Mr. Ford knows, and the American people will know, that this affords the nominee no privilege or advantage before the Committee. All aspects of his qualifications and fitness for high office will be examined; all aspects will be tested.

I recognize that the Senate Rules Committee has been conducting a similar inquiry and has already questioned Mr. Ford. Insofar as possible, we will attempt not to cover much of the same ground covered at the Senate hearings. But some repetition is inevitable and necessary, for we are conducting a separate confirmation procedure. The Constitution subjects this appointment alone to the scrutiny of both Houses.

As we begin this morning then, we are keenly aware of the unprecedented nature of the course we must chart. But we are not without guidelines. Just as the legislative history of the 25th Amendment tells us that our consideration must be vigorous, it also makes clear that the President has the right to nominate a man with whom he can work in concert -- ideologically and politically.

The Reports of both the House and the Senate at the time the Congress recommended adoption of this Amendment in 1965 contain an identical paragraph.

It reads thusly:

It is without contest that the procedure for the selection of a Vice President must contemplate the assurance of a person who is compatible with the President....This proposal would permit the President to choose his Vice President subject to congressional approval. In this way the country would be assured of a Vice President of the same political party as the President, someone who would presumably work in harmony with the basic policies of the President.

The President then has made his selection. But he is not entitled to sole and independent judgment. We hope the nominee will address himself before us to the vital public issues confronting the Nation today: questions including the integrity of government, the administration of justice, and the separation of powers.

In addition, the issue of personal integrity must weigh heavily on this nomination. For that reason, the Committee diligently assembled an experienced and resourceful investigative team almost immediately upon the communication of the President nominating Mr. Ford on Friday, October 12, 1973. All members of this Committee have continuing access to the thorough financial and personal data our investigators have assembled that bear on relevant considerations.

Also, all Members of this Committee have had access to, or have been briefed on the information generated by the Federal Bureau of Investigation. Thirty-three field offices and more than 350 special agents have interviewed more than 1,000 people in all parts of the country, resulting in more than 1,700 pages of reports.

Originally, the Justice Department proposed that the FBI report be read only by the Chairman and the ranking minority Member. It was my belief that this was insufficient to the enormity of our collective responsibility. For that reason, I sought broader access to these files and as you know, an agreement was reached which accomplished that purpose. I believe the American public will benefit from that agreement. Only the most informed judgment will suffice.

Finally, I would like to briefly acknowledge my own long acquaintance with Mr. Ford. He and I first came to this House together in 1949. In the years since then, we have had many vigorous policy differences, clashing sharply on important national issues. But he has always acted as a man of his word and has always

conducted himself in a manner worthy of the respect he has earned. In addition, he has been most cooperative in aiding all our efforts regarding this inquiry to date.

As we proceed then to make inquiry into this nomination, I am hopeful that these hearings can produce a new sense of trust in the essential decency of our Nation and in its ability to meet the challenges to its government's integrity.

Lastly, before we begin, I would like to read a telegram I have recently received from former Speaker John W. McCormack.

(TELEGRAM ATTACHED)

And now, the ranking minority Member, Mr. Hutchinson, has a statement and will introduce the Vice President-designate to the Committee.