

pouring of public and Congressional criticism ensued and some Congressmen even suggested that formal impeachment proceedings against Mr. Nixon should be reopened. Judiciary Committee Chairman Rodino, however, declared the next day that “impeachment is dead” and said he had no intention of renewing the inquiry.

The Committee and Vice Presidential Nominations Under the 25th Amendment

When Spiro Agnew resigned as Vice President on October 10, 1973, the Nation was without a Vice President for the 17th time in its history. For the first time, however, the contingency of such a vacancy had been addressed by the Constitution.

The Twenty-fifth Amendment to the Constitution had been adopted by the Congress in 1965 and ratified by the States in 1967. Section 2 of the amendment provides:

Whenever there is a vacancy in the Office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Acting under the mandate of the amendment, the Speaker of the House referred to the full Judiciary Committee the matter of President Nixon’s nomination of Gerald Ford to be the 40th Vice President. Within 24 hours of that nomination, the committee had assembled an experienced investigative team to pursue an exhaustive inquiry into Mr. Ford’s qualifications and fitness for high office.

The inquiry was conducted both in Washington and in Grand Rapids, Mich., the nominee’s home town. Every agency of the Federal Government was contacted and a request went out for all files in their possession relating to the nominee. The Judiciary Committee staff assembled voluminous materials regarding relevant financial and personal considerations, conducted an independent audit of the nominee’s tax returns and interviewed hundreds of individuals as part of its investigation.

Between November 15 and November 26, the full committee held 6 days and one evening of hearings into the nomination, receiving testimony from a dozen witnesses, including Mr. Ford on four separate occasions.

On Thursday, November 29, after receiving more than 36 hours of testimony, the committee voted to report the nomination favorably to the full House, which agreed to the nomination on December 6.

One year later, on December 19, 1974, the full House confirmed President Ford’s nomination of Nelson Rockefeller to be Vice President.

The Rockefeller nomination had been referred to the Judiciary Committee on August 20, 1974, and extensive investigative efforts and thorough hearings by the committee followed referral. A hearing record of more than 1,400 pages covering 9 days and several evenings of public testimony by two dozen witnesses was compiled before the committee made its favorable recommendation to the House on December 12, 1974.