

Hill Studies Replacing Vice President

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By Jack Anderson

Three major congressional committees have secretly ordered studies of how Congress should respond to the constitutional challenge of ruling on a possible replacement for Vice President Agnew.

One preliminary study by the Senate Judiciary Committee began more than two weeks ago at a time when Agnew's aides were pooh-poohing any talk of resignation. The other two probes were ordered early this week by the House Judiciary and Senate Rules committee.

All three surveys are intended to prepare Congress for possible eventualities. The committees have no positive information that Agnew might actually resign in the wake of the grand jury investigation of Maryland kickback charges.

Although the replacement of a Vice President would be unprecedented in American history, the Senate Judiciary study has already found guidelines in Congress' own rules and in the legislative history of the 25th Amendment. The six-year-old amendment says both houses of Congress must rule on any presidential nominee to succeed a Vice President.

If two sets of hearings are held under the 25th Amendment as is normal on legislation, the Senate Judiciary staff investigation has found it would be headed by Senate Rules Chairman Howard Cannon (D-Nev.), and House Judiciary Chairman Peter Rodino (D-N.J.). Both are well-regarded, fair-minded lawyers.

One of the most ingripping precedents discovered by the Senate Judiciary staff has eerie parallels with the present situation. Thirty-six years ago then-Sen. Hugo Black was picked by President Roosevelt for the Supreme Court. So highly thought of was Black by his Senate conferees that they skipped committee hearings on the controversial nomination. It went straight to the Senate floor where it was approved.

Today, two of the men mentioned in the speculation as replacements for Agnew are also senators — Barry Goldwater (R-Ariz.) and Hugh Scott (R-Pa.), either of whom could conceivably pass the Senate without hearings.

Another possibility is that Cannon's Rules Committee and Rodino's Judiciary group would hold joint hearings. Rodino's legislative sleuths have

already discovered that a decade ago the House Judiciary and Senate Finance Committees were ordered by an unusual act of Congress jointly to study a taxation question. Although House Judiciary wound up doing almost all the work, the old act is a clear precedent for joint vice presidential hearings.

One of several other possibilities turned up by the studies is that a select committee would be appointed by each house or a joint select committee would be appointed by both houses. However, Senate historians feel any effort by the leadership to dislodge Rodino or Cannon as chairmen would be a flagrant slap.

While Rodino is new to his blue-ribbon Judiciary post, he has been an articulate veteran chairman of other lesser House units for years. And Cannon's committee, while it generally does fuddy-duddy business on Senate procedures, was the forum for dramatic hearings on former Senate majority secretary Bobby Baker exactly 10 years ago.

Footnote: The strain between President Nixon and Vice President Agnew is approaching the breaking point. The rival

staffs have become hostile camps, spreading rumors and leaking stories against one another.

Sources close to Agnew believe the President has stirred up the charges against Agnew to divert public attention from his own role in the Watergate scandal.

Before Agnew came under investigation in Maryland, they point out, there were public suggestions that the President should resign. This talk has now stopped, because Agnew is no longer an acceptable alternative. Public attention has been focused, instead, upon the possibility that Agnew might resign.

"The charges against Agnew have created a marvelous distraction," said one source. "Now the President can offer up Agnew as a blood offering to placate the public."

Friends of Agnew tell us he is aware of the White House backstabbing but, nevertheless, refuses to believe the President is personally behind it. Spiro Agnew, said a friend, "has this feeling of awe for the presidency, for the White House, which inhibits him from coming to the inevitable conclusion that the President is knifing him."

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