

President Reticent On Agnew's Case

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The White House yesterday demonstrated acute unhappiness over the dilemma it faces with regard to charges against Vice President Agnew, but it offered few answers to constitutional, ethical and public policy questions now confronting both the President and the Vice President.

Deputy press secretary Gerald L. Warren maintained that President Nixon is not placing himself above the battle and acting as an innocent bystander.

But Warren nevertheless declined to define Mr. Nixon's role beyond saying that he did not want to inject himself into the legal issues or to influence the course the Vice President has mapped for his defense.

The President "neither approved nor concurred" in the decision of Attorney General Elliot L. Richardson to present evidence con-

cerning Agnew to a federal grand jury in Baltimore, Warren said.

"This was a procedure that the Attorney General chose to follow," Warren said.

The presidential spokesman likewise declined to say what Mr. Nixon thought about the Vice President's appeal to the House that it make an inquiry into charges against him.

"The President has taken the position from the outset that the Vice President should decide what course of action that he wanted to take in this matter, and that has been consistent with the Vice President's desire," Warren reported.

After Warren said that resignation was "one of the options discussed" when Agnew met with the President Tuesday, the Vice President told reporters: "The Presi-

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PRESIDENT, From A dent and I have not discussed that possibility. I want to make it very clear that I am not resigning."

Warren later explained that "in the broad context of options open to the Vice

President, resignation did come up. There was no detailed discussion of resignation. No resignation was asked for and none was offered.

"The Vice President chose a course to take and the President respected the Vice

President's right to choose that course."

Warren said in his briefing that the President, "did not pressure the Vice President to take the course that he did take . . . We said earlier he didn't pressure him to resign. No one in the

White House pressured the Vice President to resign. No resignation was asked for and none was offered."

When Warren's briefing began, it was not known that House Speaker Carl Albert (D-Ohio.) was about to announce rejection of the

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Agnew request for an inquiry, and many questions were asked regarding the President's attitude toward such an inquiry.

Warren declined to provide any information on what Mr. Nixon thought. He said only that the President "respects the Vice President's desire to deal with this on a personal basis."

It would be improper for him to comment "on the merits of the procedures chosen by the Vice President," Warren said.

When asked a variety of questions regarding constitutional and legal matters, Warren replied that it would be "highly improper" for him to discuss them. He did say, however, that Agnew's "duties are unchanged" and that in addition to his statutory duties "he attends and is a member of many councils."

Asked if the President feels he can leave the country while the Vice President is under investigation, Warren said that since no trip is scheduled he would not comment. A few hours later in New York, however, Sec-

retary of State Henry A. Kissinger said that Mr. Nixon would be traveling to Europe in the near future.

In the past, when a President travels abroad it has been customary, more for psychological than for practical reasons, for a Vice President to remain in Washington. However, Presidents going overseas seldom delegate important duties to the Vice President.

Asked if the President feels that the controversy over the Vice President is preventing him from "carrying out the mandate" of the last election, Warren replied:

"No, sir, not at all. Let me elaborate on that, because I think it is an interesting question and one that deserves an answer.

"No, the President does not feel inhibited. The President will continue to pursue the policies which he has enunciated . . . I do not believe that the President nor the Vice President feel inhibited in pursuing the policies which this administration set out to achieve."

Warren was not so clear,

however, in replying to a question regarding the jurisdiction of the courts in the Vice President's case. The President's lawyers have argued that the courts lack jurisdiction over the President. Asked if the same principle applied to the Vice President, Warren said, "It would be highly improper for me to express an opinion on that matter and be consistent with the views in the President's statement yesterday."

Warren was referring to the statement in which Mr. Nixon said that the Vice President "is entitled to the same presumption of innocence which is the right of any citizen."

After issuance of that statement late Tuesday, Agnew telephoned the President to "express his appreciation" for it, Warren said. He volunteered the comment that he had seen reports of strained relations between the two men and wanted to deny them.

Asked if there was any change in the standing of the Vice President in terms

of succession, Warren said "there has been no change in the standing of the Vice President in any terms, in his duties or in any other way."

When another reporter asked if there had been any study in the White House regarding public policy in the event Agnew is indicted, Warren said that to answer the question would be to pre-judge the Vice President.