

Agnew: 2d-Term Limbo

Lack of Direction Marks Vice President's Days

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In a constitutional sense, Spiro Agnew is still the same man he was a few weeks ago.

He presides over the Senate when he's in the mood, he has the power to cast a vote there in the event of a tie and he serves as a standby in case something should happen to the President.

It isn't much of a job, as Agnew's predecessors have made abundantly clear. FDR's first Vice President, John Nance Garner, said it wasn't "worth a pitcher of warm spit." When Calvin Coolidge won the GOP's vice presidential nomination in 1920, the incumbent under Woodrow Wilson, Vice President Thomas R. Marshall, sent Coolidge a telegram that read:

"Please accept my sincere sympathy."

In modern times, however, Agnew has made more of the vice presidency than most, becoming a household word with his biting speeches, heading a shifting array of government councils and com-

mittees, and transforming himself until his recent misfortunes into a likely Republican presidential candidate in 1976.

Besides being Vice President, Agnew is also vice chairman of the Domestic Council, chairman of the National Council on Indian Opportunity, and a regent of the Smithsonian Institution. He is also a member of the National Security Council and sits in on meetings of the Cabinet.

Even so, he seems to have been left in second-term limbo months ago. Most of the committees and councils he used to head have been abolished. Agnew had been waiting all year for the President to tell him what, if any, new chores he was supposed to take charge of. He has yet to be enlightened and isn't likely to be so long as the cloud of the federal grand jury investigation in Baltimore hangs over him.

"This whole vice presidential game" confesses one Agnew aide, "is the most amorphous thing I've ever seen."

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DUTIES, From A1

Most of Agnew's time used to be spent on his informal role as speech-maker, front man, and roving ambassador for President Nixon and the Republican Party. He'll be out making more speeches in the weeks ahead, but, aides confirm, they'll be devoted largely to the defense of Spiro T. Agnew.

"He doesn't see how anyone can divorce his situation from the undue attention on the whole Watergate business," says his press secretary, J. Marsh Thomson.

Working with his attorneys on legal strategy has also been making its inroads on the Vice President's calendar.

"It's been taking up a hell of a lot of his time," says Victor Gold, Agnew's first press secretary and still a close friend.

"It's the first order of priority, without any question," Thomson said of the legal battle. "The lawyers and the Vice President consult each other whenever either thinks it necessary. But it's not a consistent amount of time from day to day."

Determined by now to stay on the job and ride out the storm, Agnew is also trying to stick as best he can to his pre-crisis routine. That isn't easy for any man under criminal investigation, but it's especially hard for the Vice President of the United States. The problem for Agnew, as for any Vice President, is to figure out what

business as usual is supposed to be.

"The Vice President is the creature of the President," political scientist J. F. Menez once said. "He has exactly as much prestige, power and patronage as the President will divert to him ... The President largely decides whether the vice presidency will be a shelf or a stepping-stone."

Agnew himself acknowledged in an interview with The Washington Post May 15 not only his recurring frustrations in the job, but also his uncer-

tainty over what his role during Mr. Nixon's second term would be.

"Quite candidly, the President hasn't defined my role yet," Agnew said in an interview then. "I don't know exactly what I'll be doing and it's up to the President to define it."

He was still waiting to find out when he was officially notified on Aug. 1 that he was under investigation by government prosecutors on possible charges of bribery, extortion, tax fraud and conspiracy.

Meanwhile, Agnew's idle hours have been increasing. Besides being Vice President, Agnew in his first term was also chairman of the Office of Intergovernmental Relations, the National Council on Marine Resources and Engineering, the National Aeronautics and Space Council, the National Advisory Committee on the Peace Corps, the President's Council on Youth Fitness, the Committee on Equal Employment Opportunity, the President's Council on Youth Opportunity and the President's Council on Recreation and Natural Beauty.

That kind of work, Gold says, "has diminished." In fact, according to the Vice President's office, none of those groups still exists.

During happier days, Gold said, the Vice President would often "be out of town two or three days a week—making speeches, attending governors' conferences, meeting with elected officials." In Washington, he kept himself busy greeting foreign visitors, attending various meetings, honing speeches and helping tend to the "tremendous amount of mail and correspondence" that poured into his office.

Agnew also put in a lot of work as the administration's spokesman to state and local governments through his chairmanship of the Office of Intergovernmental Relations. Mr. Nixon had set it up by executive order in 1969 to enhance the relationships, and the Vice President regarded it as one of his most important assignments.

Last December, however, Mr. Nixon ordered the intergovernmental chores transferred to the Domestic Council and promoted Kenneth R. Cole to the council's executive directorship. Officials insisted at the time that the consolidation in no way diminished Agnew's responsibilities since, they said, he was vice chairman — well, de facto vice chairman — of the Domestic Council anyway.

If the explanation seemed strained in December, it became even more of a curiosity on May 2 — two days after the resignation of top White House aides because of the widening Water-gate scandal. The White House soberly announced in that occasion that Agnew would be given important new duties, including the real vice chairmanship of the Domestic Council.

Two weeks later, Agnew forthrightly admitted that he was still in the dark about what those new responsibilities were to be. "To be very honest," one associate said this week, "we never got the further elaboration."

The Vice President's statements at a press conference last month suggested one possible explanation.

Agnew said he had been aware "through rumor" of the investigation of his affairs since February. Subsequently, he said, he discussed those rumors with Alexander Haig, "who brought them to the President's attention." Haig was named acting White House chief of staff on May 4 — right on the heels of the announcement that Agnew would be given key new assignments, which never materialized.

Since then, for example, it has been made clear to Agnew and his staff that if the White House wanted the help of the Vice President's expertise in dealing with state and local governments, the White House would ask. It never has.

According to Thomson, "there are still a lot of meetings all the time" for Agnew to attend. "He gets well briefed in the economic area, and he's terribly

interested in foreign affairs. There's also been an increase in Cabinet and (Republican) leadership meetings."

He has also seen busier times. During the month of September, his office reports, he attended one Cabinet and two leadership meetings. He devotes great care to his meetings with foreign visitors, partly because that's his way, but also partly because he doesn't have that much else to do.

He still arrived for work at the Executive Office Building early, often before 9 a.m., but he's been leaving earlier, frequently for a round of tennis or golf with partners such as House Minority Leader Gerald Ford (R-Mich.) and chief White House domestic adviser Melvin Laird. One of those who plays with him says his golf game is "steadily improving."

Boiled down to its essentials, the vice presidency leaves a man with plenty of time on his hands. As Woodrow Wilson once wrote, "the chief embarrassment in discussing his (the Vice President's) office is that in explaining how little there is to be said about it, one has evidently said all there is to say."

Arnon Burr, that stepchild of American history, almost made a lot more of it — under the original provisions of the Constitution that assigned the presidency and the vice presidency to the candidates getting the highest and second highest number of votes in the Electoral College.

Burr was really the Democratic-Republican Party's choice for Vice President in 1800, but when the electors gave him just as many votes as they did to Thomas Jefferson, the contest was automatically sent to the House, where many in the Federalist majority considered Burr more palatable. Burr chose not to withdraw his name, and it took 36 ballots before Jefferson was finally named President.

The controversy led to a move to

abolish the vice presidency altogether, but it failed in the Senate by about six votes. Congress settled instead for the 12th Amendment, providing for separate ballots in the Electoral College for President and Vice President.

From there, the vice presidency went into an immediate and long-lasting decline.

It has had something of a comeback in modern times, thanks partly to the accession to the presidency of Harry Truman, Lyndon Johnson and Mr. Nixon, all former vice presidents who knew the frustrations of the office first-hand.

At the same time, the sight of a Vice President exercising his one day-to-day constitutional prerogative of presiding over the Senate has become a rarity. Alben Barkley, Vice President under Truman, was the last one to spend much time at the chore.

Agnew's appearances, like those of his recent predecessors, are so infrequent that Senate officials — and the Vice President's Capitol Hill office — refuse to give out the tally of the hours he has spent in the chair.

Some statistics have dribbled out from time to time, however. In 1970, Agnew was reported to have presided over the Senate for a total of 14 hours and 50 minutes during an eight-month period when the Senate was in session for some 950 hours. In the first 11 months of 1971, he had spent less than 20 hours in the chair out of nearly 1,000 hours of Senate meeting time.

"We never went up to the Hill unless it looked like his vote was needed," Gold said.

Agnew has used his vote only twice, though there have been more Senate ties than that during the years that he has been Vice President.

He did it first in 1969, voting "nay" on a move to block the Safeguard missile system. The opposed amendment had failed on a 50-to-50 tie, but Agnew

added his ballot anyway, making the final count 51 to 50. A more crucial vote came in July when the Senate, with Agnew breaking a genuine deadlock, voted 50 to 49 to order an immediate start on construction of the Alaska oil pipeline.

Like Agnew, the White House has been outwardly trying to give a business-as-usual cast to Agnew's assignments in the midst of adversity. Deputy White House press secretary Gerald L. Warren declared Wednesday that the vice President's duties and responsibilities "are unchanged . . . they are precisely what they have been for some time."

Agnew followed up with a flurry of public activity.

On Thursday, it included attendance at a Republican leadership meeting at the White House in the morning, a dry run to the Senate for a prospective tie vote that didn't materialize on the Trident submarine program and a black-tie dinner in honor of New Zealand's Prime Minister Norman E. Kirk back at the White House, where Agnew was accorded applause and an ostentatious red-carpet exit.

Friday it was a flight to California for a weekend visit with Frank Sinatra and yesterday morning's speech, which he had been working on for several days, to the National Federation of Republican Women in Los Angeles.

According to Thomson, speaking invitations are not only "holding up," but "if anything, there's more interest in a way." He's already been booked for six speeches in October.

But it won't be business as usual, not by any standard definition of what Richard Nixon once called "the most ill-conceived, poorly defined position in the American political system." The allegations against Agnew are likely to keep it that way. Despite President Nixon's occasional statements of support, the Vice President seems to have been left out in the cold.