

# Leaks Suggestion Denied by Agnew

10/5/73

By EDWARD WALSH  
Washington Post Staff Writer

Vice President Spiro T. Agnew, in a letter to The Washington Post published today, accused Justice Department officials of suggesting that Agnew's own lawyers are the source of at least some leaks to the press about the criminal investigation of the Vice President.

Agnew called such suggestions "nothing more than a pitiful attempt at a "cover-up" and said his lawyers are prepared to sign affidavits that they did not discuss with reporters what occurred at negotiating sessions they held with Justice Department officials.

A spokesman for the Justice Department said yesterday the department would have no comment on Agnew's letter to The Post. But, the spokesman added, the department's position on the controversy over news leaks would be set out in a legal brief to be filed in federal court in Baltimore next week.

**The brief—a written statement** submitted to a judge—will respond to Agnew's request for a halt to the federal grand jury investigation of his activities. Agnew's request was based in part on a charge that leaks to the press about the investigation have made it impossible for him to receive a fair hearing by either the grand jury or at any subsequent trial.

The Vice President's letter to The Post was prompted by a story written by staff writer John P. MacKenzie and published Tuesday. The story recounted how a broadcast Sept. 22 by CBS television correspondent Fred Graham had become a full blown controversy in itself, involving not only Agnew and Graham, but a high ranking official of the Justice Department and two newspaper colum-

nists.

The controversy involves Graham's report, quoting "a source close to the negotiation," that in a meeting Sept. 19, Assistant Attorney General Henry E. Petersen said to Agnew's lawyers, "We've got the evidence; we've got it cold."

**MacKenzie's story in The Post** recounted how Graham's report, when retold by New York Times columnists James Reston and William Safire, gradually began to sound as if Petersen himself was the source of Graham's information.

Earlier this week, Graham wrote a letter to the editors of The Times attempting to clarify the situation. "It is clear from the broadcast that the quote from Mr. Petersen about the strength of his evidence was said at that

meeting to Mr. Agnew's lawyers—not to me," Graham wrote. "Mr. Petersen has never discussed the merits of the Vice President's case with me."

In his letter to The Post, which his office said the Vice President wrote himself, Agnew criticized The Post's version of the Graham broadcast, saying The Post was "one of those organs changing it (the Gra-

ham broadcast) in the retelling."

In its editions Sept. 23, The Post reported: "According to the CBS report Petersen, with (Attorney General Elliot L.) Richardson's approval, rejected the offer, insisted that Agnew plead guilty to a charge that could possibly mean a jail sentence, and said, 'We've got the evidence. We've got it cold'."

Agnew also criticized reports of the Graham broadcast that were published in The New York Times, the Baltimore Sun and the Washington Star-News.

"Now, it doesn't make a great deal of difference who in the Justice Department dropped this little morsel in the hands of Mr. Graham," the Vice President said in his letter. "The fact remains that four newspapers of considerable circulation left the distinct impression with their readers that Mr. Petersen made this improper, unprofessional and highly prejudicial comment."

In a speech in Los Angeles last week, Agnew - accused Petersen of "malicious and outrageous" conduct, clearly implying he thinks Petersen is personally responsible for leaks to the press. Both President Nixon and Attorney General Richardson have expressed confidence in Petersen and his handling of the Agnew case.

Agnew also said in the letter, "The Justice Department is now making the assertion that the leak of Petersen's comment came from my attorneys. This is nothing more than a pitiful attempt at a coverup."

The Vice President's office said yesterday that Agnew's charge about Justice Department assertions concerning his lawyers was based on a remark attributed to Deputy Attorney General William Ruckelshaus by the New York Times earlier this week. The Times quoted Ruckelshaus as saying, "Who stands to lose the most from this?" Ruckelshaus said that it would be the Justice Department that would suffer if the Agnew case were damaged by prejudicial publicity, the Times reported.