

'Not... A Confession of

Guilt'

10/16/73
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Following is the text of last night's address by former Vice President Spiro Agnew:

Five years ago you gave me the greatest honor of my life by electing me Vice President of the United States. I do not want to spend these last moments with you in a paroxysm of bitterness, but I do think there are matters related to my resignation that are misunderstood. It is important to me, and I believe to the country, that these misconceptions be corrected.

Later this summer my fitness to continue in office came under attack when accusations against me made in the course of a grand jury investigation were improperly and unconscionably leaked in detail to the news media.

I might add that the attacks were increased by daily publication of the wildest rumor and speculation, much of it bearing no resemblance to the information being given the prosecutors.

All this was done with full knowledge that it was prejudicial to my civil rights. The news media editorially deplored these violations of the traditional secrecy of such investigations. But at the same time many of the most prestigious of them were ignoring their own counsel by publishing every leak they could get their hands on.

From time to time I made public denials of those scurrilous and inaccurate reports, and challenged the credibility of their sources. I have consistently renewed those denials, last doing so at the hearing in the United States District Court.

There, in a response to a statement of the prosecutor's case. I stated that, with the exception of my decision not to contest the 1967 tax charge, I flatly and categorically denied the assertions of illegal acts on my part made by the government witnesses.

I repeat and I emphasize that denial of wrong doing tonight.

Notwithstanding that the government's case for extortion, bribery and conspiracy

rested entirely on the testimony of individuals who had already confessed to criminal acts and who had been granted total or partial immunity in exchange for their testimony against me, their accusations, which are not independently corroborated or tested by cross examination, have been published and broadcast as indisputable fact.

This has been done even though such accusations are not a provable part of the single count of tax evasion, which I saw fit not to contest, and which was the only issue on which I went to court.

Up until a few days ago, I was determined to fight for my integrity and my office, whatever the costs. The confidence that millions of you expressed encouraged me, and no words can convey the appreciation that my family and I will always feel for your outpouring of support.

Public Interests

However, after hard delib-

eration and much prayer, I concluded several days ago that the public interests and the interests of those who mean the most to me would best be served by my stepping down.

The constitutional formalities of that decision were fulfilled last Wednesday when I tendered my resignation as Vice President to the Secretary of State.

The legal sanctions necessary to resolve the contest, sanctions to which I am subject like any other citizen under our American system, were fulfilled that same day when I pleaded nolo contendere and accepted the judgment of the federal court for a violation of the tax laws in 1967 when I was governor of Maryland.

While I'm fully aware that the plea of nolo contendere was the equivalent of a plea of guilty for the purpose of that negotiated proceeding

in Baltimore, it does not represent a confession of any guilt whatever for any other purpose.

I made the plea because it was the only way to quickly resolve the situation.

Image Stressed

In this technological age, image becomes dominant. Appearance supersedes reality. An appearance of wrong-doing, whether true or false in fact, is damaging to any man. But more important it is fatal to a man who must be ready at any moment to step into the presidency.

The American people deserve to have a Vice President who commands their unimpaired confidence and implicit trust. For more than two months now, you have not had such a Vice President.

Had I remained in office, and fought to vindicate myself through the courts and the Congress, it would have meant subjecting the country to a further agonizing period of months without an unclouded successor for the presidency.

This I could not do, despite my tormented verbal assertion in Los Angeles.

Critical Time

To put his country through the ordeal of division and uncertainty that that entailed would be a selfish and unpatriotic action for any man in the best of times.

But at this especially critical time, with a dangerous war raging in the Mid East, and with the nation still torn by the wrenching experiences of the past year, it would have been intolerable.

So I chose, instead, not to contest formally the accusations against me.

My plea last week in court was exactly that. Not an admission of guilt, but a plea of no contest, done to still the raging storm. Delivering myself for conviction in one court on one count, the filing of a false income tax return for 1967.

But in addition to my constitutional and legal responsibilities I'm also accountable to another authority, that of the people them-

selves.

Tonight I'd like to try briefly to give you the explanation that you should rightly have.

First a few words about government contractors and fund-raising appear to be in order.

At every level of government in this country—local, state and national—public officials in high executive positions must make choices in the course of carrying out engineering and architectural projects undertaken for the public good.

Because they involve professional people, these are negotiated and non-bid awards. Competition is fierce. And the pressures for favoritism are formidable.

I'm sure you realize that public officials who do not possess large personal fortunes face the unpleasant but unavoidable necessity of raising substantial sums of money to pay their campaign and election expenses.

In the forefront of those eager to contribute always have been the contractors seeking non-bid state contracts.

Beyond the insinuation that I pocketed large sums of money, which has never been proven and which I

emphatically deny, the intricate tangle of criminal charges leveled at me, which you have been reading and hearing about during these past months, boils down to the accusation that I permitted my fund-raising activities any my contract dispensing activities to overlap in an unethical and an unlawful manner. Perhaps, judged by the new post-Watergate political morality, I did; but the prosecution's assertion that I was the initiator and gray eminence in an unprecedented and complex scheme of extortion is not realistic. Portraying the prosecution's witnesses, who have long been experienced and aggressive in Maryland politics, as innocent victims of illegal enticements from me is enough to provoke incredulous laughter from any experienced political observer.

Shoddy schemes

All knowledgeable politicians and contractors know better than that. They know

where the questionable propositions originate; they know how many shoddy schemes a political man must reject in the course of carrying out his office.

What makes my accusers, self-confessed bribe brokers, extortionists and conspirators, believable — and their stories have been treated as gospel by most of the media — particularly when they have been encouraged to lessen their punishment by accusing someone else?

Let me reiterate here that I have never — as County Executive of Baltimore County, as governor of the State of Maryland, or as Vice President of the United States — enriched myself in betrayal of my public trust. My current net worth, less than \$200,000, is modest for a person of my age and position. Every penny of it can be accounted for from lawful sources. Moreover, my standard of living throughout my political career has been demonstrably modest and has been open to public scrutiny during my public life. In the government's recitals against me, there are no claims of unexplained personal enrichment.

Resignation Explained

But if all of this is true, you well might ask why I did not resign and defend myself in court as a private citizen. I did consider that very seriously. But it was the unanimous judgment of my advisers that resignation would carry a presumption of guilt sufficient to defeat a defense on the merits. I'm afraid what I have been reading and hearing persuades me they were right.

By taking the course of the nolo plea, I have spared my family great anguish and, at the same time, have given the President and the Congress the opportunity to select on your behalf a new Vice President who can fill that Office unencumbered by controversy. I hope to have contributed to focusing America's attention and energies back to where they belong — away from the personal troubles of Ted Agnew and back on the great tasks that confront us as a Nation.

As the country turns back to those tasks, it is fortunate indeed to do so under the

leadership of a President like Richard Nixon.

Since events began to break in August, the President has borne a heavy burden in his attempt to be both fair to me and faithful to his oath of office. He has done his best to accommodate human decency without sacrificing legal rectitude.

He has said to me in private exactly what he has stated in public, that the decision was mine alone to make. Having now made that decision, I want to pay tribute to the President for the restraint and the compassion which he has demonstrated in our conversations about this difficult matter. The reports from unidentified sources that our meetings were unfriendly and even vitriolic are completely false.

I also want to express to the President and to all of you my deep regret for any interferences which the controversy surrounding me may have caused in the

country's pursuit of the great goals of peace, prosperity and progress which the Nixon administration last year was overwhelmingly reelected to pursue.

Yet our great need at this time is not for regret, which looks to the past, but for resolve, which faces up to the future. The first challenge we face as a nation is to summon up the political maturity that will be required to confirm and support the new Vice President.

Wise Nomination

Under the newly applicable 25th Amendment to the Constitution, for the first time in our history, in the event of the President's death or disability his successor will be someone chosen by the President and confirmed by the Congress, not someone elected by the people.

In choosing Gerald Ford, the President has made a wise nomination. The Republican House leader has earned the respect of the entire Congress, as well as those in the Executive Branch who have come in contact with him during his long and distinguished career. Jerry Ford is an eminently fair and capable individual—one who stands on principle, who works effec-

tively and non-abrasively for the achievable result. He will make an excellent Vice President, and he is clearly qualified to undertake the highest office should the occasion require it.

After the Vice Presidency is filled, the next question for Americans will be whether we are able to profit from this series of painful experiences by undertaking the reforms that recent tragedies cry for.

Will recent events form the crucible out of which a new system of campaign financing is forged, a system in which public funding for every political candidate removes any opportunity for evil or the appearance of evil? I sincerely hope so.

Will the furor about campaign contributions dramatize the need for State and local governments across the country to close the loopholes in their laws which invite abuse or suspicion of abuse in the letting of lucrative contracts to private businesses? Again, I hope so. I remember closing one such loophole regarding the awarding of insurance contracts when I was County Executive of Baltimore County.

Will my nightmare-come-true bring about a healthy self-examination throughout our criminal justice system aimed at stopped prejudicial leaks? Will the prosecutors be restricted and controlled in their ability to grant immunity and partial immunity to coax from frightened defendants accusations against higher targets?

Certainly, these procedures need closer supervision by the courts and defense counsel. As things now stand, immunity is an open invitation to perjury. In the hands of an ambitious prosecutor, it can amount to legalized extortion and bribery. Again, I would hope that such reforms might result.

If these beneficial changes do flow from our current national trauma, then the suffering and sacrifice that I have had to undergo in the course of all this will be worthwhile.

But regardless of what the future may bring, nothing can take away my satisfaction of having served for some 57 months as the sec-

ond highest constitutional officer of the greatest nation on earth—a satisfaction deriving not from what I did, but from what was done for me by millions of fine men and women whose beliefs and concerns I tried to articulate, and from what was done around me by a great President and his Administration in advancing the cause of peace and well-being for this country and all mankind.

Only Good Foreseen

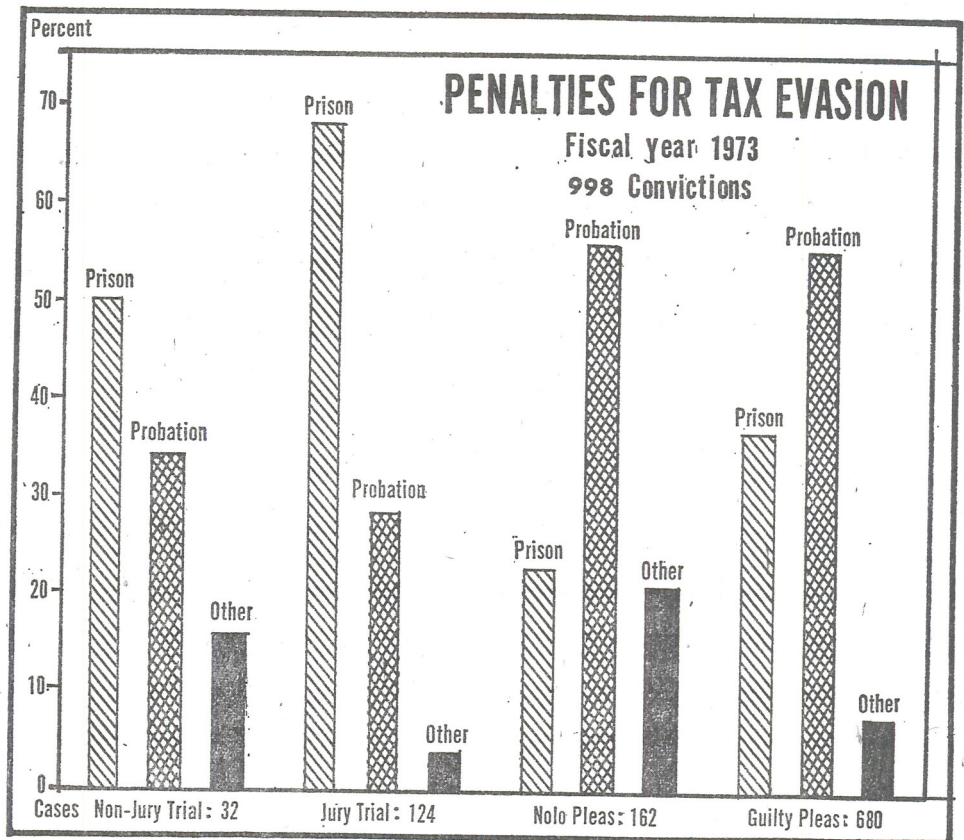
I believe that America has always thrived on adversity, and so I can foresee only good ahead for this country, despite my personal sorrow at leaving public service and leaving many objectives incomplete.

Under this administration which you have chosen and in which I have been privileged to serve, the longest war in America's history has been brought to an honorable end; and we are within reach of the best chance for lasting peace that the world has had in a century and a half. Both the abundance and the quality of American life are pushing to new highs.

Our democracy with its balanced federal system, its separation of powers, and its fundamental principles of individual liberty, is working better than ever before. Our bicentennial in 1976 will be marked by a chance for the electorate to choose among an unusually fine group of potential leaders.

These are America's strengths and her glories, which no amount of preoccupation with her weaknesses can obscure.

Every age in American history has had its political



By Ken Burgess—The Washington Post

Figures compiled by federal officials for the year ended last June 30 show defendants who plead nolo contendere to tax evasion are sentenced to jail least often.

crises and upheavals. They all must have seemed like massive earthquakes to those who stood at the epicenter of the movement, but they all left the foundations of the Republic secure and unshaken when history moved on.

The resignation of a Vice President, for example, is insignificant compared with the death of a President, particularly one so great as Lincoln, but I cannot help thinking tonight of James Garfield's words to an audi-

ence in New York just following the announcement that Lincoln had died.

Garfield, who was later to be President himself, was only a young Army officer at the time of that great tragedy in 1865, but he saw clearly where this country's strength lay, and he expressed it all in these few words to the frightened

crowd: "Fellow citizens! God reigns, and the Government at Washington still lives."

I take leave of you tonight, my friends, in that same sober but trusting spirit. God does reign—I thank Him for the opportunity of serving you in high Office, and I know that He

will continue to care for this country in the future as He has done so well in the past. The Government at Washington does live—it lives in the pages of our Constitution and in the hearts of our citizens, and there it will always be safe.

Thank you, good night and farewell.