

Nixon Knew Each Step in Agnew Case

By William Chapman
Washington Post Staff Writer

President Nixon approved each major step in the negotiations that led to Spiro T. Agnew's resignation as Vice President and his plea of no contest to a tax evasion charge, Attorney General Elliot L. Richardson said yesterday.

Although the President did not rule on specific terms of the deal, he had approved of its "general direction and fundamental basis," Richardson told a news conference.

Speaking with reporters on the first day after Agnew resigned in a dramatic courtroom scene in Baltimore, Richardson depicted the White House as being considerably more involved in the negotiations between Agnew and the Justice Department than had been disclosed before.

Even the first meeting between Richardson and Agnew's lawyers, Richardson said, was prompted by a telephone call from the President's counsel, J. Fred Buzhardt.

Agnew pleaded guilty Wednesday to one count of income tax evasion. The government chose not to press other charges involving bribery and extortion and asked for leniency in the sentencing of the former Vice President. He was fined \$10,000 and placed on unsupervised probation for three years.

Richardson, under critical questioning, defended the agreement strongly yesterday, arguing that it was more in the public interest than a long, acrimonious trial of the Vice President — one which would leave "an ulcer on the body politic."

Richardson hinted — and other sources confirmed — that the deal was never solid until it was discussed early this week with U. S. District Court Judge Walter E. Hoffman. Hoffman was described by one source as remaining silent about the terms of the agreement. There always was a risk, the source said, that Hoffman



By Douglas Chevalier—The Washington Post

Elliott L. Richardson: "I believe . . . it is just, fair and honorable."

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could have turned it down in open court, but that that did not seem likely in view of his silence at the closed-door meetings early this week.

Administration sources could not explain what caused Agnew to change his mind about the case. Until he resigned and pleaded no contest Wednesday, he had strongly indicated he would fight the case through the court.

One set of plea-bargaining sessions collapsed in failure in September. Then the Justice Department was approached with an offer to resume talks last Saturday.

Two knowledgeable administration sources said that the Justice Department did not change its position on

the terms for Agnew between the first and second set of negotiations.

Richardson also made it clear that he considers the federal criminal investigation of Agnew a closed book. Part of the agreement, he said, is that Agnew cannot be prosecuted in federal courts for criminal actions related to the recent investigation but occurring prior to Wednesday's session in court.

However, he acknowledged that the former Vice President still may face civil action by the Internal Revenue Service for failure to pay income taxes in certain years not covered by the charge to which he pleaded no contest.

Richardson emphatically dismissed the suggestion that he might be considered in line for the vice presidency. As Agnew's accuser and the man who negotiated the deal in which he resigned, Richardson said he should not be considered "for a moment" as a possible successor.

The disclosures he made of White House and presidential involvement were in response to repeated questions. Bit by bit, sometimes reluctantly, Richardson indicated far closer White House attention to the negotiated agreement and final settlement than had been

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acknowledged by the White House previously.

Richardson was asked if Mr. Nixon put any limits on the bargaining.

"The President was kept, of course, fully informed at all times," Richardson answered. "He fully approved each of the major steps that were taken in the course of these negotiations."

Richardson said Mr. Nixon "did not participate in the negotiations as such. He had, of course, as President of the United States, to be satisfied that the essential elements of what was being done were consistent with the public interest."

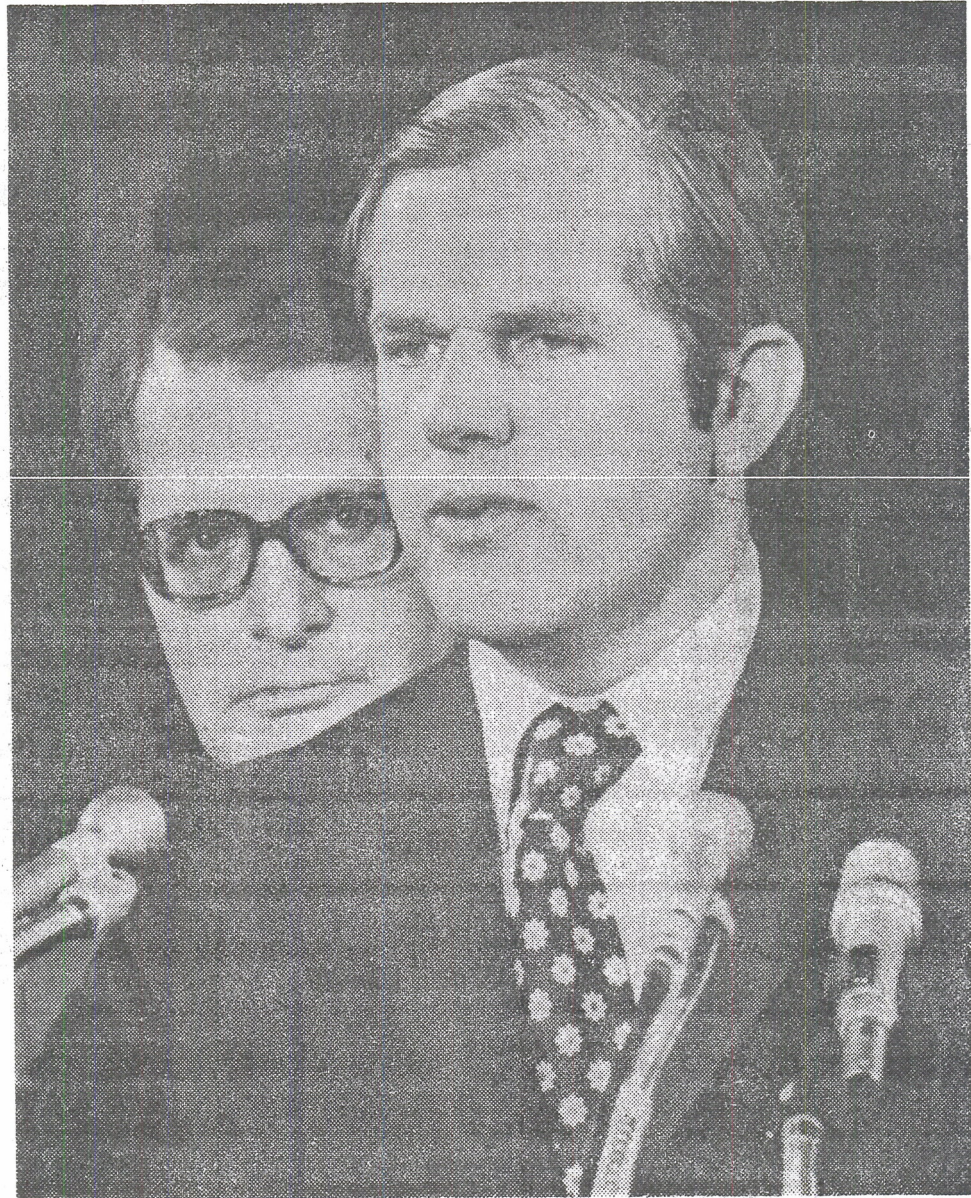
He said the President did not attempt to set any limits on the negotiations. However, he hinted that the President may have expressed concern about the effects of a long trial involving his Vice President.

"He was of course concerned, as all of us were, with the potential consequences of a prolonged and agonizing trial of these issues of fact, and this was a concern naturally that he felt, as did the Vice President himself and those of us who represented the Department of Justice," Richardson added.

At no time were there efforts by the White House or by the Vice President's office to quash the investigation, he said.

The first telephone call he received from either source, he said, was a telephone call from Buzhardt, asking him if he would be willing to meet with Agnew's lawyer.

He said he first discussed



Associated Press

Elliot L. Richardson, left, and U.S. Attorney George Beall answer newsmen's questions.

the case with Mr. Nixon early in August. However, in July he had made Mr. Nixon's chief of staff, Alexander M. Haig Jr., aware of the investigation and so he said he assumed Mr. Nixon must have known something about it before August. He said he believed that Mr. Nixon had been informed by Agnew that an investigation was under way prior to that.

Richardson said Mr. Nixon had never been told the precise details of the evidence against Agnew and that the President had not even wanted to know them.

"The President has never had more than a very summary description of the kinds of evidence developed by the government's investigation," the Attorney General said.

"He felt that it was not appropriate for him to be informed of the details of the case. He did have a broad description, essentially in the same terms in which I presented an outline of the case to the Vice President himself, on the same day, later in the afternoon after I had seen the President."

Richardson disclosed that Mr. Nixon had even been aware of a charge, turned

up by investigators, that Agnew had received payments in his vice presidential office, purportedly in return for favorable treatment by the General Service Administration. One sum was \$2,-

"He was aware that the investigation touched on this—the \$2,500 matter," Richardson said. "But it was of course at the time when he learned of this at a very early stage in the investigative process and the charge could not, of course, be considered proven.

"And so the President was in effect in a position in which it would have been unfair on his part to imply that he believed that there had been proof of wrongdoing by the Vice President in that capacity."

He said that while Mr. Nixon did not "pass" on the specific agreement between Justice and Agnew, he did approve its "general direction and fundamental basis." He said he assumed also that the terms of the final agreement had been presented to Mr. Nixon by Agnew last Tuesday evening.

Richardson said that neither round of plea-bargaining by Agnew had been ini-

tiated by the Justice Department. He left the impression that both had been initiated by Agnew's lawyers, although the first call on the first round of negotiations had come from Buzhardt at the White House.

Richardson was accompanied at the news conference by George Beall, the U.S. attorney in Baltimore who headed the Agnew investigation.

Both men acknowledged that they differed on the subject of what the government should demand of Agnew. The prosecutors in Baltimore obviously favored stricter punishment than a \$10,000 fine and three years of probation.

Beall, who reportedly favored demanding a jail sentence for Agnew, indicated yesterday that he and Richardson had merely agreed to disagree.

"There was honest disagreement among reasonable men, reasonable attorneys, as to what result was proper," Beall said. "But keep in mind that our vantage point in Baltimore was entirely different than the Attorney General's vantage

point in Washington. I think that should probably suffice . . ."

Richardson was asked if he had not struck a "political" bargain with Agnew by not pressing for stronger terms.

"I think each individual will have to make up his or her own mind about the justice of this result," Richardson answered. "I believe, as I've said, that it is just, fair and honorable. I have insisted and have done my best with my colleagues to assure that all the facts upon which the result was reached are publicly accessible."

The negotiations between Agnew and Justice broke down in September for reasons not yet divulged. They were resumed after a telephone call to the Attorney General last Saturday, Richardson said. Justice officials met with Agnew's lawyers on Monday and then with the judge Tuesday afternoon.

"It was at that Tuesday afternoon meeting when the final provisions of the agreement were concluded," Richardson said.