

## Vice Presidential Papers Specifically Excluded

By Lou Cannon

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Vice President Spiro T. Agnew agreed yesterday to make his personal financial records available to federal prosecutors. He also volunteered to submit to a personal interview about allegations that he accepted kickbacks from Maryland contractors.

In a letter to U.S. Attorney George Beall, the Vice President affirmed his innocence and said he was "eager to be of any help I can."

"As I advised you many months ago, I wish in no way to impede your investigation," Agnew wrote. "I have done nothing wrong. I have nothing to hide. And I have no desire save that justice be done speedily and efficiently. Accordingly, the records you request are now available to you."

Beall wrote the Vice President on Aug. 1 informing him that he was under investigation for possible tax fraud, extortion, bribery and conspiracy violations. In his letter he asked Agnew to turn over financial papers dating back to Jan. 1, 1967, when Agnew was governor of Maryland.

The Vice President responded to the charges by calling a press conference last week to declare his innocence and to label other charges that he had accepted regular kickback income as "damned lies."

While Agnew's aides have said ever since that it was the Vice President's desire to make the records available, the issue was left in doubt by the Vice President's three lawyers.

While the attorneys—Jay H. Topkis, Martin London and Judah Best—sought

an extension of time from federal prosecutors, unconfirmed reports leaked out of the White House that President Nixon was opposed to release of the records. According to this view, the cooperation of Agnew with prosecutors was seen as undercutting the position of President Nixon in refusing to furnish prosecutors with tapes and documents relating to the Watergate case.

Yesterday the Vice President returned to his office after a four-day vacation in Southern California and promptly decided the issue himself.

Acting on what an aide said was the Vice President's desire to resolve the issue quickly, Agnew fired off a letter that was hand delivered to Beall late yesterday afternoon in Baltimore.

See AGNEW, A7, Col. 8

The lawyers spent 50 minutes with Beall, and neither they nor the U.S. Attorney would comment after the meeting.

In his letter, and possibly as a concession to the lawyers, Agnew made clear that he was granting access only to his personal financial and income tax records and not to the official records of the Vice President.

"You understand that, by making these records available to you, I do not acknowledge that you or any grand jury have any right to records of the Vice President," Agnew wrote. "Nor do I acknowledge the propriety of any grand jury investigation of possible wrongdoing on the part of the Vice President so long as he occupies that office. These are difficult constitutional questions which need not at this moment be confronted."

Late in the day, White House deputy press secretary Gerald L. Warren confirmed that Agnew had acted on his own without consulting with the White House.

Warren said that the President and Agnew had not met or talked on the telephone. And Warren said the letter had not been discussed by White House counsel with Agnew's attorneys.

Most of the morning briefing centered on the Vice President, although Agnew's letter to Beall had not been announced at the time.

Warren used the briefing to deny an American Broadcasting Co. report that Agnew had discussed the possibility of resigning when he met with President Nixon for an hour and three-quarters last Tuesday.

Without mentioning ABC by name, Warren said that "dope stories floating

around" that Agnew had discussed resigning were "totally wrong." In less categorical terms Warren also denied reports that the meeting between the two men was a heated one.

Asked if the meeting was "frank" or "cordial," Warren replied:

"I think I would describe it as both."

Warren said that the President had told him that the investigation of Agnew "does not diminish" his confidence in him. But Warren, in the pattern of several briefings last week, declined to issue any praise of the Vice President on the President's behalf.

Agnew's action in sending the letter continued a policy of newly asserted vice presidential independence from the White House that has been apparent since his press conference a week ago.

"I think the Vice President of the United States should stand on his own two feet," Agnew said in that press conference. "It really isn't that important what a President says, although I welcome the President's support."

Despite Warren's denial of a heated meeting between the President and Agnew, reports from the White House have said that the session was "acrimonious." It is known that Agnew decided in advance to hold the press conference and informed Mr. Nixon of what his course of action would be.