

To Affect Grand Jury

By Jules Witcover
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Besieged by published reports that he faces imminent indictment in the investigation of alleged contractor kickbacks in Maryland, Vice President Spiro T. Agnew yesterday charged that some Justice Department officials have decided to indict me in the press whether or not the evidence supports their position.

In a most unusual statement before live television and a roomful of reporters in the Executive Office Building, Agnew specifically demanded that Attorney General Elliot L. Richardson investigate what he called "a clear and outrageous effort to influence the outcome of possible grand jury deliberations."

At the same time, Agnew pressed his offer to discuss the case directly with U.S. Attorney George Beall, heading the investigation in Baltimore. Quoting reports that Beall

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Beall also denied that his office does not want to meet with Agnew. "This is not true," he said. "We have not reached a conclusion, and this is under study. Indeed, the whole investigation continues under active study, including the possibility of an interview. One of the unresolved questions is the manner in which this interview or conversation can be conducted."

Richardson joined in Beall's denial of leaks coming from government investigators. "I fully share the Vice President's concern about unfair and inaccurate publicity," he said. "I stand by my previous statement that every reasonable step is being taken to assure that the Justice Department has not been and will not be the source of such publicity."

By observing restraint in what they report, the media themselves can help to assure fairness. I would like to point out, moreover, that we do not have any firm basis for the assumption that the information which has appeared in the press has come from law enforcement officials.

"In any case, any plausible lead implicating the Department of Justice will be pursued vigorously, and appropriate disciplinary action will be taken against any Department employee found to be responsible."

Richardson also released his reply to a complaint by the American Civil Liberties Union that Agnew's rights were being violated by the leaks to the press. The Attorney General said he shared the ACLU's concern, but he disputed as "unwarranted and unfair" an ACLU contention that the leaks could only have come directly or indirectly from law enforcement officials. Richardson asked the ACLU for any evidence it had to substantiate the charge.

Another Justice Department spokesman said the Vice President had made his demand for an investigation of leaks in a letter to Richardson that arrived just before Agnew went on television.

Rather than any massive investigation, the spokesman said, Richardson himself had inquired of the relatively few people informed about the investigation whether they had leaked information about it, and all said no. The Attorney General will continue to admonish the departmental staff against leaks, the spokesman said.

Agnew, looking tanned but

gaunt, noted that Richardson in a television interview Sunday had denied that any of the leaks in the Agnew case had come from his department, and that he would investigate any suggestion that they did.

"I have communicated with the Attorney General today and have asked that he fulfill that promise and pursue such an investigation vigorously," Agnew said.

"I hope that the national news media will also urge Mr. Richardson and the Justice Department to conduct such an investigation diligently, wherever it may lead, and to use all available investigatory tools to compel sworn testimony to reveal the identity of 'unnamed' Justice Department officials' and sources close to the investigation."

Agnew said he was speaking out a second time in two weeks because "any person who has been in politics and government for many years is aware of the personal and political hazards of unsubstantiated charges, rumors, innuendo and speculation."

"I have been subjected to these before," he said, "and I am accustomed to fighting this kind of battle. What I find intolerable, however, is the impact which this smear publicity may have on the rights of others—particularly private citizens—who have been swept into this highly publicized investigation."

Agnew did not identify the other persons he referred to and his office refused to elaborate.

Agnew based his complaint specifically on a story in this week's issue of Time magazine, which said that "in the view of Justice Department officials in Washington, the case against him is growing steadily stronger, and that an indictment appears inevitable."

The Time story also quoted "a Justice Department official in Washington" as saying that "the department has no choice. At least three witnesses have told of delivering cash payoffs to Agnew. The evidence is so strong that the case must be taken to trial."

In the face of such reports, Agnew again yesterday said he will fight "to prove my innocence" and intends to remain "in the high office to which I have been twice elected."

Agnew took the extraordinary step of attacking the Attorney General and Justice Department of his own administration after having advised the White House of his intention to meet the press, but not of the substance of what he would say.

White House deputy press secretary Gerald L. Warren

reported that the Vice President in his notification "did not go into details."

Warren denounced as "totally false" reports that there was a contingency plan to choose a new Vice President if Agnew were to resign.

It was Agnew's second televised meeting with reporters here in two weeks. These meetings came at a time President Nixon has been under increasing criticism for not holding a press conference to discuss his own Watergate troubles.

Agnew's office billed it as a "press conference" but at the outset of his eight-minute statement which he read the Vice President said he would answer no questions.

This was so, Agnew said, "not because I want to avoid the facts, not because I do not wish to see you fully informed, but because to do so would be to continue discussion in a public forum of what should be a secret investigation. By such a free-wheeling discussion, I would be engaging in the very same tactics that I called you here to criticize."

At the close of the statement, Agnew again apologized for not answering questions. "I understand that disappointment is likely to result," he said, "but I would ask each of you as a fair-minded individual to place himself in my position and understand the restrictions of my current status."

The Vice President, among the nation's foremost critics of the press in the past, also seemed to go out of his way yesterday to absolve the press of blame for printing the leaks and to place it squarely on the Justice Department.

"I have not called you to this meeting for the purpose of criticizing the news media," he said. "I cannot fault you for publishing information given you by informants within the Department of Justice. The blame must rest with those who give this information to the press and who do so with an obvious motive of interfering with the independent investigative process of the grand jury."

After the first published stories on Aug. 7 that he was under federal investigation, Agnew said, he had issued a statement "declaring my innocence of any wrongdoing, and announcing I would make no

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further comment until the investigation had been completed.

"I had every right to expect," he said, "that a similar effort to prevent publicity would be made by the Attorney General and Mr. Beall and their respective staffs in Washington and Baltimore. That, of course, was their legal duty.

"Therefore, I was shocked during the course of the next 36 hours to discover that the news media were reporting numerous details concerning the investigation, detailed allegations that had to be coming from people who were actually participating in the investigation."

It was for this reason, he said, that he had called his first press conference, on Aug. 8, "to set the record straight." But since then, he said, "the leaks have continued unabated." It has become clear, he said, that "the 'sources close to the investigation' so frequently quoted were indeed just that—persons involved in the investigatory process."

In his first press conference, in which Agnew labeled reports that he had received specific cash kickbacks "damned lies," he observed:

"...The accusations that are being made, if they do come from people who are also under investigation, must be looked at as accusations that are coming from those who have found themselves in very deep trouble, and are looking to extricate themselves from this trouble, and are flirting with the idea that they can obtain immunity or reduced charges, perhaps, by doing so."

But the Vice President then added that, "I have no tangible or definite information about the leaks."

Before Agnew's press conference yesterday, White House deputy press secretary Warren again expressed the President's confidence in Agnew, but said Mr. Nixon would not comment on the leaks, which he said was a matter for Richardson's attention.

"The President feels that leaks in situations such as this are certainly alien to our due process of law and the rights of individuals and certainly do not assist the proper authorities in investigating certain matters," Warren said.
