

NYTimes SEP 21 1973
**Any Agnew Replacement
May Face Bar on '76 Bid**

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WASHINGTON, Sept. 20— Democratic leaders of the House of Representatives have reportedly made plans to insist, if Vice President Agnew leaves office before his term expires, that his successor pledge not to seek election as President in 1976.

Authoritative members of Congress said today that the "contingency" plans were discussed at a private meeting yesterday between the House leaders and a group of Democratic freshmen in the office of House Speaker Carl Albert.

"The will of the leadership, as expressed to the freshmen, was to strive for a stand-in Vice President who would be committed to bypass the 1976 election," one participant said today.

The discussion was prompted by reports—vigorously disputed by associates of the Vice President — that Mr. Agnew was considering resigning, and by Democratic concern over the political complications of the method for choosing a midterm Vice President if the choice became necessary.

The 25th Amendment to the Constitution, which took effect in 1967, stipulates that when there is a vacancy in the Vice Presidency the President must nominate a candidate who is subject to confirmation by a majority vote in both houses of Congress.

"We're not going to be a party to picking somebody who is going to run against us three years from now," one of the Democratic officials said.

His concern was underscored today by Robert Strauss, the chairman of the Democratic National Committee. He said that if Mr. Nixon should be required to select a new Vice President he should avoid a "tricky, treacherous situation" by choosing a "nonpresidential" person.

Speculation about Mr. Agnew's possible resignation or impeachment and removal from office, has been a principal topic in the White House and elsewhere because of a Federal grand jury investigation into allegations that Mr.

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Agnew, as Executive of Baltimore County or Maryland's Governor, and other Maryland politicians had received kickbacks from contractors doing business with the state.

Some senior White House officials are said to have been suggesting in private in the last few days that it might be best for the Vice President to resign.

Criticism From Buckley

Senator James L. Buckley, Conservative-Republican of New York, said today that if the speculation about Mr. Agnew's resignation was coming from the White House, "those responsible should be put on notice that Republicans and Americans in general will not take kindly to such shabby, cowardly treatment of the Vice President." He made the comment in a speech prepared for delivery tonight in Canandaigua, N.Y.

Gerald L. Warren, the deputy White House press secretary, insisted again today that the President was not seeking to apply any pressure to Mr. Agnew to leave office. He said that he could "absolutely deny" a report in the Washington Post this morning that a White House official had suggested that Mr. Agnew's departure could help Mr. Nixon set a new tone for his Administration.

Speaker Albert, of Oklahoma, declined at noon yesterday to answer the questions of newsmen about steps that the House might take if it had to vote on a successor to Mr. Agnew.

But the sources said that the

subject had come up yesterday morning at a meeting of about 20 Democratic freshmen and Mr. Albert, Majority Leader Thomas P. O'Neill Jr. of Massachusetts and the Democratic whip, John J. McFall of California.

The meeting was convened to discuss a request by the freshmen for action on campaign financing reform. One participant said that the freshmen had also raised the topic of possible Vice Presidential confirmation and expressed concern that Democrats might have to vote for a nominee they would have to oppose in 1976.

Caucus Vote

The sources said that the Democratic leaders had offered assurance that they were making quiet preparations for such a contingency and that, as one official put it, they were prepared to seek a vote of the House Democratic Caucus for insistence on a "stand-in" Vice President.

The officials acknowledged that there would be no legal method by which they could bind Mr. Nixon to a requirement that he nominate a "nonpresidential" candidate. They said that there would also be no way to enforce a pledge from the candidate that he would not seek election in 1976.

But the officials said that the insistence by a majority of the House on a "stand-in" successor might persuade the President to nominate an individual who would be unlikely to be ambitious for the Presidency. One source mentioned as possible nominees William P. Rogers, the former Secretary of State, and John Sherman Cooper, the former Senator from Kentucky, who are Republicans.

The White House has denied published reports of the existence of a list of possible successors, which was said to be

headed by John B. Connally, Treasury.

Mr. Connally, who switched from the Democratic to the Republican party earlier this year and who has been taking soundings on his acceptability as a Presidential nominee in 1976, appeared to represent the sort of potential Vice Presidential successor the members of Congress would prefer not to face.

Mr. Strauss, a close friend of Mr. Connally, told newsmen at a breakfast meeting today that a political dispute over a successor to Mr. Agnew could be damaging to the nation.

He said that the nomination

of someone who might be a Presidential candidate could create difficulties for both major parties. Mr. Strauss said:

The President, if faced with a choice, would be wise to "make a nonpresidential type of appointment to avoid the kind of a crunch and a split that this nation cannot now stand."

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