

## Resisting Pressure

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The Internal Revenue Service, backed by the Secretary of the Treasury, resisted all White House efforts to audit the tax returns of President Nixon's "political enemies," a congressional committee has determined.

A report presented at a closed meeting of the Joint Committee on Internal Revenue shows that the White House sent an "enemies list" to the IRS, as charged by deposed White House counsel John W. Dean III in testimony to the Senate Watergate committee last June.

The joint committee did not make its findings public, but two members said that the IRS scrupulously avoided any actions directed at White House political opponents.

"There were people whose names were on this list who were audited, but they were audited by the normal computer selection," one congressman said. "They were picked out at random. The IRS will come out of this thing looking pretty good."

The report about IRS resistance to White House political pressures came on the same day that the committee formally agreed to President Nixon's request for an inquiry into two tax deductions which saved him an estimated \$300,000.

However, the committee went beyond Mr. Nixon's request for an investigation into the tax deductions on his vice presidential papers and into the legality of his action in not paying capital gains taxes on a sale of property surrounding his San Clemente home.

Rep. Wilbur D. Mills (D-Ark.), chairman of the joint committee, said it was his understanding that the President expected this complete inquiry into his 1969-72 returns. Mills promised a "fair report" and said the inquiry would be limited to legal questions rather than ethical ones.

"It's not going to be a political report, an emotional

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report or any other kind of report except a factual report," Mills said.

Despite the committee's unanimous decision in favor of a full-scale inquiry, some members expressed private misgivings about the wisdom of any congressional body issuing an opinion about the taxes that the President should pay.

One member said he thought the committee would be accused of a whitewash if it substantiated the President's opinion that he paid sufficient taxes and of "a partisan witch-hunt" if it came up with critical findings.

He said that the committee's determination of the taxes any private citizen should pay might violate the doctrine of separation of powers between government branches and pointed out that the house had cited this doctrine in turning down a request from then-Vice President Spiro T. Agnew to investigate the charges against him.

Another member pointed out that the IRS had shown great independence in resisting White House attempts at political influence. He said the IRS might also quite conceivably decide to ignore any joint committee opinion about the taxes the President should pay.

However, the President has said he will abide by the committee's opinion on the two questions he asked it to investigate. Prominent members of the committee apparently felt that they had no choice but to comply with his request and make an inquiry.

The committee's findings that the IRS did not single out so-called political enemies for special attention was based on an examination of more than 500 IRS files and the questioning of numerous officials, including former IRS Commissioners Randolph Thrower and Johnnie M. Walters.

One member of the joint committee said that the "enemies list" sent over by the White House to the IRS apparently differed to some degree from the enemies list disclosed by Dean.

"They sent over an enemies list . . . but the director of IRS wouldn't do it," said this congressman. "And he went and got the backing of the Treasury."

The congressman did not identify the Secretary of the Treasury, but it was believed to be a reference both to Charles E. Walker, who was then undersecretary of the Treasury, and to George Shultz, who is now the secretary.

Another congressman said that the "integrity of the IRS" in declining to make political audits had been substantiated by the committee.

A memorandum submitted to the Senate Watergate committee by Dean discussed an impending meeting between Walters and White House chief of staff H.R. (Bob) Haldeman on how to make the IRS "politically responsive."

Other former administration officials have said that despite repeated efforts, the White House never succeeded in this effort