

WXP Tax Checks by Bellino Cited

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Carmine Bellino, the chief investigator for the Senate Select Watergate committee, examined federal income tax returns "for days at a time" in 1961 when Bellino was a special White House consultant, John D. Ehrlichman said yesterday.

Bellino is already under fire from Republican leaders and 21 GOP senators who asked that he be suspended from his committee duties and investigated for allegedly attempting to bug Richard Nixon's hotel room during the 1960 presidential campaign.

Ehrlichman, in testimony yesterday and Friday, has attempted to defend the Nixon administration against allegations by former presidential counsel John W. Dean III, who testified last month that the White House attempted to use the Internal Revenue Service to attack the administration's political enemies.

Yesterday Ehrlichman, referring to the April 16, 1970, Congressional Record, cited a Senate debate that he said showed that procedures safeguarding the privacy of income tax returns were much stricter under President Nixon than under President John F. Kennedy in 1961.

"Six days after (Kennedy's) inauguration," Ehrlichman said, Bellino "... called on the commissioner of Internal Revenue and undertook inspection of many, many tax returns for days at a time."

Ehrlichman said that from Mr. Nixon's inauguration up to the date of the Senate debate, the White House had made only nine written requests to the IRS for permission to view tax records.

This contrasted with the Kennedy administration



CARMINE BELLINO
... suspension sought

during which Bellino viewed tax records without written requests, Ehrlichman said. Ehrlichman, until April 30 the top White House domestic aide, concluded his testimony before the Watergate committee yesterday.

In questioning last Friday, Sen. Joseph Montoya (D-N.M.) cited IRS documents that showed that the White House in 1972 alone had requested 915 tax checks on various individuals.

Ehrlichman defended the tax checks as standard procedures that did not involve disclosure of tax returns themselves. A tax check, he said, involved a White House request to the IRS to check to see if an individual—perhaps one being considered for a federal appointment—had any pending tax problems.

The 1970 Senate debate on the executive branch procedures in examining federal tax returns contained no figures as to the number of returns examined by Bellino, and made no reference to "tax checks."

Mortimer Caplin, IRS commissioner under Ken-

nedly, was reported on vacation and unreachable yesterday. A month ago, Caplin told a reporter that Bellino's use of IRS records was "entirely different" from the alleged Nixon administration attempt to use the tax files to attack political enemies.

Caplin said that Bellino was "working out of the Justice Department" for President Kennedy in helping to investigate "labor racketeering." This was a legitimate criminal investigation, Caplin said, and was not any effort to attack persons regarded by the White House as enemies.

The Kennedy administration's labor racketeering investigation focused on the Teamsters Union and its leader, James Hoffa. Administration critics at the time accused Attorney General Robert F. Kennedy of engaging in a vendetta against Hoffa.

The Congressional Record for April 16, 1970, quotes a memorandum from Caplin stating that Bellino came to Caplin's office Jan. 26, 1961, and "requested permission to inspect our files on" a person whose name is excised from the memo "and others."

"Although we had no precedent to guide us" Caplin said in the memo, "we decided that Mr. Bellino, in his capacity as a representative of the President, could inspect our files without a written request."

Caplin said the IRS code "specifically provides that returns shall be open to inspection upon order of the President, and since Mr. Bellino's official capacity constitutes him the representative of the President, the action taken is regarded as conforming to law."

In the same memo, Caplin said that Bellino's oral re-

quest was followed up by a letter dated Jan. 26, 1961, and received Jan. 30 from Attorney General Kennedy. That letter, Caplin said, asked that Bellino "be permitted to review all files, records, and documents requested by him in order to coordinate the investigation of certain individuals being conducted by the Internal Revenue Service, the Justice Department and other government agencies."

Last week, George Bush, Republican national chairman, released affidavits that included allegations that Bellino, in John Kennedy's 1960 campaign, had tried to hire men to bug a District of Columbia hotel where Mr. Nixon was preparing for one of his televised debates with Kennedy.

In response, Bellino said that he "categorically and unequivocally" denies "that I have ordered, requested, directed or participated in any election surveillance whatever in connection with any political campaign."

Over the weekend, 21 GOP senators called for Bellino's suspension and asked for an investigation of the charges. The Senate Watergate committee has not responded publicly to the request.

In other testimony yesterday, Ehrlichman again defended the Watergate prosecutors' decision last year to permit former Commerce Secretary Maurice Stans to give a sworn deposition that was presented to the grand jury, rather than having Stans testify in person.

Ehrlichman said the same procedure was used in a 1970 influence-peddling investigation of Martin Sweig, administrative assistant to then-House Speaker John W. McCormack (D-Mass.)