

I.R.S. Returns Data On Times's Calls But Not Newsman's

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WASHINGTON, Feb. 13—

The Internal Revenue Service surrendered today telephone records of the Washington bureau of The New York Times that were secretly subpoenaed last month, but not those of the home telephone of a Times reporter, David E. Rosenbaum.

The Chesapeake and Potomac Telephone Company of Maryland reported today for the first time that the I.R.S. had obtained on Jan. 8 the records of toll calls made from Mr. Rosenbaum's home in Chevy Chase, Md., from June, 1973, to January, 1974.

Commissioner Donald C. Alexander agreed yesterday to return the newspaper's Washington bureau records to the telephone company. But the I.R.S. would say today only that officials were "looking into" whether the agency had in fact subpoenaed and received Mr. Rosenbaum's home records.

Tells of Request for Report

A spokesman said the commissioner's office had no information on the existence of such a subpoena and had requested a report from the Philadelphia regional office of the I.R.S.

The agency has said that it subpoenaed the records last month as part of an investigation into a leak of information by employees of the revenue service. They were obtained under a procedure formally used for tax evasion cases that does not give any notice to the individual or organization named in the records that they have been taken.

Mr. Rosenbaum was led to suspect that his home phone records might have been taken because the I.R.S. subpoena for the Washington Bureau of The Times identified the number as that of the newspaper office "and the business address of David Rosenbaum."

The New York Telephone Company has been asked whether it furnished the revenue service with any information about credit card calls by Mr. Rosenbaum. The company acknowledged today that it had received the request but did not say what its response would be.