

LAWYER REBUTS NIXON ON '69 TAX

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Says He and President Went
Over the Return—Fears
He May Be 'Scapegoat'

NYTimes

LOS ANGELES, April 5 (UPI)—Frank DeMarco, Jr., President Nixon's tax lawyer says it is "ridiculous" to believe that the President did not know about his tax returns. The lawyer is worried that he may be made a "scapegoat."

When asked about a White House statement that he and the President had only chatted when the lawyer submitted the President's 1969 tax return to be signed, Mr. DeMarco said: "It is ridiculous."

"What we did was go over the return page by page," Mr. DeMarco said in answering a White House statement that controversial deductions had been made without Mr. Nixon's knowledge and without his approval.

Mr. DeMarco said it would be ridiculous to believe that he and the President's tax accountant, Arthur Blech, had made the decisions they did without instructions from Mr. Nixon or his representatives.

He said he still believed that the deductions that were claimed could be defended, but perhaps did not show "political astuteness" on the part of a President.

'Political Overtones'

"When you strip away the political overtones and the emotionalism, I feel good about them," Mr. DeMarco said. "Unfortunately, in the real world you cannot strip those considerations away."

The Los Angeles Times reported today that the lawyer, in private conversations with friends "has frequently voiced concern that he and Blech ultimately could become scapegoats, if the President's returns were judged faulty."

The White House, in its announcement on Wednesday that the President would pay the back taxes, said "Any errors which may have been made . . . were made by those to whom he delegated the responsibility for preparing his returns, and were made without his knowledge and without his approval."

Ehrlichman Named

The Times said it had learned that Mr. DeMarco, in testimony to the Congressional joint Committee that ruled on the President's taxes, said that he was operating on instructions relayed through John D. Ehrlichman, a former White House aide, and that copies of the Ehrlichman directives given to

the committee and the Internal Revenue Service "make it clear that he and Blech were operating on White House instructions in claiming deductions."

Mr. DeMarco testified that Mr. Nixon was greatly interested in his 1969 tax return and very happy to get a big refund, The Times said.

The lawyer testified to the committee last Sunday after President Nixon released him from the confidentiality constraints of the lawyer-client relationship.

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