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White House Lawyer Under Federal Investigation

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Benton L. Becker, the lawyer used by the White House in negotiations with former President Nixon, is under investigation by the U.S. attorney's office here for what was described as tax evasion charges, informed sources said yesterday.

The investigation, the sources said, stems from allegations made by Joel Kline, the convicted Montgomery County land and stock speculator, whom Becker once represented. Specifically, the sources said, Kline has charged that he assisted Becker in setting up an illegal tax dodge.

He has worked on special assignments for President Ford in the past and was used by the White House last week to negotiate the agreement under which Mr. Nixon was allowed to retain custody of his presidential papers, documents and tape recordings.

The White House said Becker spent Thursday and Friday in San Clemente negotiating with Mr. Nixon's representatives. Deputy White House press secretary John W. Hushen described Becker as "an old and trusted friend" of White House Counsel Philip Buchen.

"He was available to undertake the mission," Justice Department sources said they were astounded when they learned that Becker had been used by the White House to negotiate with the former President.

"My God, doesn't Ford know about this case?" said one source. "The guy's under investigation."

A White House spokesman said he had no knowledge of the investigation. Justice Department sources said that the Becker investigation is

still in the hands of the U.S. attorney here and will be referred to the Justice Department. The sources said that the Internal Revenue Service would also be consulted on the case. These sources stressed that no decision has yet been made to prosecute Becker.

The allegations against Becker, the sources said, stem solely from the charges made by Kline, a one-time financial "whiz kid" who has since admitted to a host of white-collar crimes and has pleaded guilty to attempting to obstruct an investigation of his stock manipulations. Since then, Kline has become a government witness and appeared as a prosecution witness in the trial of former Baltimore County Executive Dale Anderson.

At that trial, Kline charged that Becker, who was his lawyer for a time, has lied to prosecutors about Kline's illegal activities. Becker denied the

charges, even offering to take a lie detector test to prove they were untrue.

Nevertheless, his testimony and sources in the U.S. Attorney's office in Maryland said yesterday they are considering whether to investigate Becker if he is not indicted in Washington.

Becker, a former Justice Department lawyer and assistant U.S. attorney here, first worked for Mr. Ford in 1970 when, as House minority leader, Mr. Ford spearheaded an attempt to impeach Associate Justice William O. Douglas. Becker was hired by Mr. Ford and two other congressmen who were conducting their own investigation of the Supreme Court justice.

"During that investigation, Becker wrote a letter to a lawyer for Louis Wolfson, who was convicted of selling unregistered stock, asking whether Wolfson could provide information about Douglas' business dealings.

"Both my clients and I were greatly impressed with Mr. Wolfson's recent testimony . . ." Becker wrote. "I am personally sympathetic to your client's present plight and would be anxious to assist him in any way available to me."

At his vice presidential confirmation hearings, Mr. Ford defended Becker's actions, saying Becker was not offering congressional influence in exchange for information.

"I do not agree with those challenges to his (Becker's) integrity or his ethics," Mr. Ford told the House Judiciary Committee. "I think he is a man of the highest professional ethics and I will stand by that to the end, and any challenges to that I will not agree to."

Since leaving the U.S. attorney's office here, Becker has been in private practice. One of his law partners is former Florida Rep. William Cramer, a friend of Mr. Ford's.