

TWO IN HOUSE SUE ON NIXON'S HOMES

Mrs. Abzug and Stokes Ask
Refund of Public Funds
Spent on 2 Estates

By PHILIP SHABECOFF

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WASHINGTON, Jan. 24 — Two Democratic members of Congress filed a lawsuit in Federal Court today charging President Nixon with illegally using taxpayers' dollars to improve and enhance his own properties at Key Biscayne, Fla., and San Clemente, Calif.

The suit, filed by Representatives Bella S. Abzug of Manhattan and Louis Stokes of Ohio, asks that Mr. Nixon be required to refund to the Treasury public funds he used for his properties in alleged violation of the constitution.

The lawsuit would open a process of legal discovery of the kind that produced information about President Nixon's involvement in the milk fund and International Telephone and Telegraph Corporation cases.

At the White House, the press secretary, Ronald L. Ziegler, said in response to questions about the suit that Representative Abzug was a "long-time political adversary of the President" and was "partisan in nature in everything she says about the Administration."

Mr. Ziegler acknowledged that his comments were intended to challenge the credibility of the suit.

Political Motive Denied

Mrs. Abzug denied in a telephone interview that the suit was politically motivated and said that it was being filed on behalf of the American taxpayer, "at whose expense the President may have enriched himself unjustly."

Earlier, Mrs. Abzug issued a statement saying that the action had been filed because the evidence so far indicates that the President authorized spending very large sums of money, perhaps more than \$3-million, for improvements at his two private homes that were illegal and unconstitutional and substantially added to the value of his private worth.

"We think the President should give back the money and we also want him, the General Services Administration and the Secret Service to be enjoined from spending any more illegally," Mrs. Abzug said.

The General Services Administration and the Secret Service, the two Government agencies that ordered and spent much of the money at the President's private estates, were also named as defendants in the suit, which was filed in the United States District Court for the District of Columbia.

Over the last year, the Government has disclosed that more than \$10-million in public funds was spent in or around President Nixon's two private homes in the name of security and support operations.

New and Old Charges

Among the new charges in the suit are that Mr. Nixon, by receiving money for the improvement of his homes, violated the constitutional prohibition against a President receiving emoluments from the United States beyond his lawful compensation as President.

Other charges made in the suit have been made publicly by a number of critics since the disclosure of public spending on the estates began last spring.