

Nixon Fights For His OEO Chief

Washington

The Nixon administration sought yesterday to stay a court order that bars its acting Office of Economic Opportunity director from continued service in that post.

The Justice Department, in a brief filed with the U.S. Court of Appeals, said it would appeal U.S. District Judge William B. Jones' order, issued on Monday.

Jones said Howard J. Phillips had been serving illegally since January 29 because President Nixon had not submitted his nomination to the Senate for confirmation as required by law.

The government's brief yesterday said Jones' order, in response to a suit by four senators against Phillips, injured the anti-poverty agency irreparably, leaving it without an acting director "capable of taking action to carry out the agency's purposes."

The action, the court papers said, "effectively brings OEO and its programs to a standstill."

Phillips, on Mr. Nixon's orders, has directed most of his actions toward dismantling OEO, for which no funds were requested for the fiscal year beginning July 1.

Associated Press