

# A Move to Make Nixon Pay His Lawyers' Fees

Washington

A move was begun in Congress yesterday to require President Nixon to pay his own defense fees following a House vote to impeach him.

Senator Joseph M. Montoya (Dem-N.M.) told the Senate that Mr. Nixon should not use "one nickel" of public funds for his defense in a Senate trial following impeachment in the House.

At the present time, public funds — estimated at more than \$30,000 a month — are being used to pay the lawyers who are defending the

President before the House and the courts.

In January, Attorney General William B. Saxbe said shortly after he was sworn in that if Mr. Nixon were impeached he would have to employ private attorneys to defend him, paying them, if need be, by a privately raised "defense fund."

But yesterday Justice Department spokesman Jack Hushen said there are no statutes governing the matter and that if Mr. Nixon is impeached the department then would render a legal opinion.

"If the House votes im-

peachment and the Justice Department is faced with the issue of who pays for the President's defense, there will be careful legal research and legal opinion on the subject," Hushen said.

Montoya, a member of the Senate Appropriations Committee, said the Hushen statement indicated a "change of direction" on the attorney general's part. The senator said he would monitor White House spending on legal fees to prevent money being used to defend the President when and if the House votes to impeach.

If after an impeachment vote public funds are used to defend the President, Montoya said he would call for a full meeting of the Appropriations Committee to put a stop to the practice.

Following Saxbe's comments in January, the President was asked at a press conference on March 6 — the last one he has held — whether he would hire lawyers at his own expense.

"Well, if the attorney general should rule that I should pay for my own defense, I shall, of course, do so," the President replied.

According to a comptroller general's report in May, the White House spent a total of \$382,474 from July 1, 1973, through March 24, 1974, on attorney's fees, legal consultants, attorneys detailed from other agencies and travel and clerical costs.

On June 4, Roy L. Ash, director of the Office of Management and Budget, detailed lawyers for the 1975 fiscal year.

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