

Full Senate to Consider The Saxbe Nomination

Washington

Sidestepping a tough decision, the Senate Judiciary Committee agreed yesterday to let the full Senate judge the constitutionality of the nomination of Senator William B. Saxbe (Rep.-Ohio) as attorney general.

The committee recommended neither approval nor disapproval of a bill designed to remove a constitutional impediment to Saxbe's nomination.

The bill would lower the attorney general's salary until 1975 from its present \$60,000 to its old level of \$35,000. A senator is paid \$42,500.

The purpose is to get around the constitutional provision that no member of Congress can be appointed to a civil office if that office's salary was raised during his term. Saxbe's Senate term ends in January, 1975.

The Senate scheduled debate on the bill for next week following action on the nomination of Representative Gerald R. Ford (Rep.-Mich.) to become vice president. The House must also act on the bill.

Senate Democratic whip Robert C. Byrd of West Virginia said he would oppose the bill on the grounds it is not a constitutionally accept-

able solution. He argues the constitutional bar to Saxbe is "so clear that it can't be waived."

Byrd emphasized his opposition was not personal. But he refrained from expressing judgment on Saxbe's nomination.

But the expectation was that the bill would pass with the support of nearly all 43 Senate Republicans and enough Democrats to ensure a majority.

Senator John Tower (Rep.-Tex.), chairman of the senate GOP Policy Committee, said the thought the bill would "ultimately pass" and that Saxbe would be confirmed by the Senate. He called the constitutional provision "an anachronism."

Saxe has told reporters he is a fatalist. "If I'm destined to be attorney general, it'll work out," he said.

United Press

Watergate Stand By the State Bar

The Board of Governors of the State Bar of California called upon the State's Congressional delegation yesterday to press for an independent special prosecutor in the Watergate investigation.

In a telegram sent to each California member of Congress, the board noted that Leon Jaworski, appointed special prosecutor by President Nixon, is an "able and experienced lawyer."

Nevertheless the wire said, "we recommend strongly the appointment of

a special prosecutor totally independent of the persons and agencies he is to investigate.

"An attorney appointed by the President or any other member of the executive branch is confronted with a potential if not actual conflict of interest.

"It is just as important to all concerned that there not only be justices but the appearance of justice. Any limitation placed on an objective impartial inquiry would tend to frustrate this legitimate goal."