PROSECUTOR BILLS GO TO THE SENATE

Judiciary Panel Sends Two Versions to Floor With No Recommendation

WASHINGTON, Nov. 21 (UPI)—The Senate Judiciary Committee sent to the Senate floor today without recommendation two bills calling for the appointment of a special Watergate prosecutor. One bill provides for court appointment and the other for selection by the Attorney General.

The unanimous decision by the 16 members of the committee was a compromise to avoid a stalemate on the two versions.

The bill favored y the White House and introduced by Senator Robert Taft Jr., Republican of Ohio, wuld require the Attorney General to appoint a prosecutor within 15 days of enactment, restrict the conditions under which he could be dismissed and permit Congress to veto any dismissal.

The Administration has already appointed a special prosecutor, Leon Jaworski, and he is on the job. The Taft bill would give Mr. Jaworksi Congressional approval.

Bill in House

The other bill, introduced by Senators Philip A. Hart, Democrat of Michigan, and Birch Bayh, Democrat of Indiana, would have a three-judge panel of the United States District Court appoint a prosecutor and have sole power to remove him. The House Judiciary Committee has sent a nearly identical bill to the House floor for a vote next week.

Senator John L. McClellan, Democrat of Arkansas, told newsmen that "the committee was equally divided on the two approaches" and had decided to send both to the floor for action the week of Dec. 3 because otherwise "no bill would have been reported out."

On the issue of dismissing the prosecutor, the Taft bill would provide that the Attorney General would first have to suspend him for 30 days and notify Congress, which presumably would then have to decide what, if anything, to do next.

Earlier proposed language, discarded at the last minute, would have given Congress the right to veto the prosecutor's dismissal within the 30-day period.

Causes for Removal

The Taft bill also restricts cause for removal to neglect of duty, malfeasance and violation of the act, which also spells out jurisdiction.

Yesterday, Mr. Jaworski said the White House had warned him that part of his investigation was treading on national security secrets, but the prosecutor said he was pressing his case anyway.

He told the Senate Judiciary Committee that he might be nearing the point of asking for a grand jury indictment and was growing impatient over White House delays in providing information.

Limits on Jurisdiction

WASHINGTON, Nov. 21 (AP) —Senator Edward M. Kennedy said today that new limits had been placed on Mr. Jaworski in "a massive new loophole which might serve to aid and abet the continuing Watergate cover up."

Mr. Kennedy referred to the announcement by Acting Attorney General Robert H. Bork that the jurisdiction of the special prosecutor will not be limited unless the President gets the support of a consensus of eight House and Senate leaders.

The Massachusetts Democrat said in a statement that the announcement "permits the President and the Attorney General, in consultation with a few members of Congress, to limit or remove entire areas of the special prosecutor's investigation."

Mr. Bork's announcement yesterday was put forth as a move to strengthen and protect the independence of Mr. Jaworski.

In a letter to Mr. Kennedy, Mr. Bork said that because of a drafting error the "consensus" safeguard in the new charter appeared to apply only to removal.

"I have amended the charter to make clear that the 'consensus' applies to both removal and to limitations on his jurisdiction," Mr. Bork said.

Senator Kennedy said he could accpet the explanation of the error thatled to the confusion. "What we cannot accept, however, is the attempt to pass off this new provision as 'strengthening' of Mr. Jaworski's independence," he added.

A spokesman for the prosecutor's office said it had not requested the amendment to the charter.