

SMALL PANEL SET FOR NIXON INQUIRY

Full Committee Called Too 'Unwieldy' to Investigate Impeachment Charges

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WASHINGTON, Dec. 11 — The House Judiciary Committee reached informal agreement today that its inquiry into the impeachment of President Nixon should be conducted by a select subcommittee.

"It would be entirely unwieldy" for the full, 38-member committee to investigate charges of Presidential misconduct, the committee's chairman, Representative Peter W. Rodino Jr., Democrat of New Jersey, said after a 90-minute closed meeting of the committee.

But Mr. Rodino deferred, at least until next week, any decisions on the size or composition of the select subcommittee, or on ground rules for the inquiry.

Moreover, the indications from today's meeting—"it was just talk," said one participant—were that it would be some time before the impeachment inquiry began in earnest.

Special Counsel Sought

Mr. Rodino said he told the committee that he would prefer to withhold decisions on the scope and nature of the inquiry until he completed a search for a special counsel and appointed a three-member advisory panel of constitutional scholars. The chairman said he hoped to be able to schedule another meeting, at which formal action would be taken, sometime next week.

"The 'informal' meeting today, with no agenda and no opportunity for formal motions by committee members, was the first on impeachment since the panel was directed to undertake the inquiry in late October.

"It would be very bad for the country if we stalled and delayed," Representative Thomas F. Railsback, Republican of Illinois, told newsmen. But he said he believed Mr. Rodino was "doing a fair job" in approaching the issue with caution.

Among the procedural matters yet to be determined by the committee were the following:

¶The size, make-up and role of a subcommittee.

¶Whether to adopt a timetable to reach a determination whether to recommend that the House impeach Mr. Nixon.

¶Whether the inquiry should be conducted in secret or whether some investigative sessions, at least, should be public.

Representative Robert McClory of Illinois, the second ranking Republican on the committee, said Mr. Rodino had spoken privately of a nine-member select subcommittee. Mr. McClory and others raised the possibility that the members would be chosen on the basis of seniority.

Mr. Rodino said, however, that his views had not "crystallized" beyond agreement that the inquiry "can't be handled by the full committee." He also told newsmen it was "not my feeling at all" that subcommittee membership should be restricted to the most senior members.

Supervisory Role

The chairman raised the possibility that the subcommittee would merely supervise the investigation and would leave it up to the full committee to determine what conclusions should be drawn from the inquiry.

Mr. Rodino said he was "trying to get some vehicle to provide an expeditious inquiry with a flow through the full committee." Republicans, some of whom have privately voiced concern that the Democratic majority would delay the inquiry in the hope of taking advantage of it during the 1974 Congressional elections, agreed at a caucus yesterday to press for an "expeditious" conclusion.

Mr. McClory said he thought the full committee should complete the investigation by next April. Other Republicans would like to see it end a month earlier.

Mr. Rodino has said he had a time frame in mind but that he believed it would be inappropriate to make it public.

"Everyone wants to have it done expeditiously — but thoroughly," he said.

Mr. Railsback said he believed the committee members should return early next month to work full time on the inquiry. But Mr. Rodino said he doubted that it would be feasible. Congress is not scheduled to return from its Christmas holiday until late next month.

Members of the committee said they had discussed, without reaching any conclusion, whether to conduct the inquiry openly or in secret. Several Republicans said they believed that, if the investigation was held in public, Mr. Nixon should be entitled to have legal counsel present to cross-examine witnesses making allegations about his conduct.