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Committee Won't Cite Nixon Kin

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The Senate select Watergate committee denied yesterday a motion by President Nixon's brothers to quash a subpoena issued to them last April. But the committee also decided not to cite the Nixon brothers for contempt of Congress for failing to comply with the subpoena.

The committee chairman, Sen. Sam J. Ervin Jr. (D-N.C.), said after the committee met in closed session that he had "no present intention to cite anybody for contempt."

Sen. Howard H. Baker Jr. (R-Tenn.), the committee's vice chairman, noted that the committee will conclude its business by June 30 and said it is "unlikely in the few remaining days that we'll cite anybody for contempt."

The committee's decision against contempt citations appears to cover not only the President's brothers, Edward and F. Donald Nixon, but also his close friend, Charles G. (Bebe) Rebozo.

Rebozo and the Nixon brothers have been interviewed by the committee in connection with a \$100,000 payment made by billionaire Howard Hughes to Rebozo.

The committee has been trying to determine, among other things, whether the money stayed in a safe deposit box kept by Rebozo, as he contends, for three years before

being returned to Hughes or whether Rebozo gave or lent some of the money to persons close to President Nixon. The committee reportedly has received conflicting testimony on the question.

Rebozo, like their Nixon brothers, has failed to comply with committee subpoenas calling on him to produce documents and records in connection with the investigation.

Ervin and Baker also told reporters that the committee's final report will not contain a separate section discussing President Nixon's possible involvement in the Watergate break-in and cover-up.

"I would think again time has passed us by" Baker said, indicating that the matter was now before the House Judiciary Committee, which is conducting an impeachment inquiry.

Ervin said that at the request of Special Watergate Prosecutor Leon Jaworski, the committee has agreed not to question Jake Jacobsen, a former lawyer for Associated Milk Producers, Inc., a large dairy cooperative.

Jacobsen was indicted for making a false statement to a U.S. grand jury investigating political contributions by the dairy industry to the 1972 Nixon re-election campaign. The indictment later was dismissed for technical reasons.

The committee has voted to give Jacobsen limited immunity from prosecution in return for his testimony. But Ervin said yesterday that Jaworski had indicated that he "contemplated taking some further action" and the committee's questioning of Jacobsen "might have some adverse effect on that."