

## Former FBI Aide Says He Received Subpoena

Edward S. Miller, former head of the FBI's intelligence division, said that he was subpoenaed yesterday to testify before a federal grand jury about burglaries conducted by bureau agents in New York.

Miller, who reported Wednesday that acting Director L. Patrick Gray III authorized the bureau's use of break-ins in 1972, said that he will "cooperate fully" with the Justice Department probe of the burglaries.

As of yesterday afternoon, Gray and W. Mark Felt, former associate director of the bureau, had not been subpoenaed or contacted by Justice Department investigators.

Felt has also reported that he authorized a break-in in New York with the general approval of Gray.

Gray, through his attorney, has denied that he authorized the burglaries.

Miller has criticized the Justice Department for not questioning him or Felt about the burglaries. "They

formed a conclusion before asking the questions," Miller said in a phone interview yesterday.

A Justice Department spokesman said the department would not reveal which witnesses have been or will be subpoenaed to testify before the grand jury.