

# ROCKEFELLER DUE AT ATTICA HEARING

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Vice President to Testify  
Before Jury Tomorrow  
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By TOM GOLDSTEIN

Vice President Rockefeller has agreed to testify tomorrow before a grand jury investigating the prison uprising at Attica four years ago.

"They asked if he would help out and cooperate, and he said yes," John Milliken, Mr. Rockefeller's deputy press secretary, said yesterday in Washington.

he Vice President, who was Governor of New York at the time of the prison uprising, will appear before the grand jury tomorrow afternoon in Warsaw, a village near the Attica Correctional Facility.

That grand jury, the second to look into the prison revolt—was established last year to investigate the possibility of crimes by law enforcement officers while and after they regained control of the maximum-security prison.

### 39 Killed in Assault

During the retaking of the prison on Sept. 13, 1971, 39 inmates and hostages were killed and 80 were wounded by gunfire from state troopers and correction officers. So far, 62 inmates have been indicted. No law enforcement officers have been indicted.

The decision to retake the prison was authorized by Mr. Rockefeller, who was criticized by the New York State Special Commission on Attica, known as the McKay Commission, after its chairman, Robert McKay, for not going to the prison.

Mr. Rockefeller has testified several times on his role in the retaking of the prison. Most recently, on Aug. 8, he testified for five hours before Bernard

S. Meyer, who heads an investigation into charges of possible misconduct by the Attica prosecution.

After he was nominated for Vice President, Mr. Rockefeller told a Senate committee that he would "always regret" the Attica uprising and called it the "most agonizing" event of his life.

His grand jury appearance will come a day after he is scheduled to testify here before the Moreland Act Commission investigating nursing homes in New York.

Mr. Rockefeller is expected to answer questions about the use of his office while he was Governor on behalf of Bernard Bergman, the nursing-home en-

trepreneur. The public hearing begins at 10 this morning at the New York County Lawyers Association, 14 Vesey Street. The hearing will be carried live on WNET-TV, Channel 13, and radio stations WINS and WNYC-AM.