

Rockefeller Backs McKay Stand on Attica Data

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Governor Rockefeller said yesterday that he was in full agreement with the view taken by the head of the Attica Commission that the panel's records were confidential and should not be subpoenaed.

The Governor offered his view at a news conference at his office at 22 West 55th Street, during which he also introduced the leader of the Grand Council of Hispanic Societies, who then reported the groups' endorsement of President Nixon.

Mr. Rockefeller said at the conference that he had met earlier in the day with Dean Robert B. McKay of the New York University Law School, who was chairman of the State's Special Commission on Attica. The commission had been charged with investigating the circumstances of last year's prison rebellion. It issued its report last month.

Just before that report was distributed, Robert Fischer, the deputy attorney general who had been designated to lead the prosecutorial investigation into the disorders, subpoenaed the records of the McKay pan-

el. Mr. McKay asserted that this act violated a promise of confidentiality for the records that had earlier been worked out between the two state panels.

Subpoena Postponed

The McKay Commission challenged the legality of the subpoena, whose return date was postponed indefinitely. Through his aides, the Governor had previously taken the position that the argument between the two state panels would ultimately have to be settled through the courts.

However, at the news conference the Governor said: "I am in total sympathy with the position that Mr. McKay has, that these records should be kept secret and confidential."

Mr. McKay, reached at his office at N.Y.U., said that after the meeting with the Governor he had consulted with Michael Whiteman, Mr. Rockefeller's secretary. "I am hopeful that something can be worked out and that the subpoena will be withdrawn," Mr. McKay declared.

Mr. Fischer could not be searched for comment.

Mr. Rockefeller, at the con-

ference, pointed out that any executive decision on the conflict could still be overruled by the courts. But he added, "We would go right to the Supreme Court if there was a challenge."

In an earlier phase of the conference Mr. Rockefeller announced the appointment of three persons to head the Hispanic division of the New York Committee to Re-elect the President, the campaign group that the Governor heads.

They are Manuel Gonzalez, assistant to the vice president of the Bronx Division of Consolidated Edison; Dr. Delfin H. Pupo, publisher of El Tiempo and former Cuban Ambassador to Canada, and Mrs. Norberto Pagan Lugo, a 21-year-old Bronx resident who is active in Puerto Rican groups.

The Governor introduced Halvor Howse, president of the Grand Council of Hispanic Societies in Public Service, who said his group, with a membership of 16,000, had endorsed President Nixon, because of his views on "law and order." The council members, he added, were "90 per cent Democratic by registration."