

Suicide Left Data on Gifts By Airlines

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William Gingery, the chief of enforcement for the Civil Aeronautics Board who shot himself to death Feb. 17, left as his legacy a 20- to 30-page letter concerning possible election law violations by some U.S. airline companies, according to the FBI and several other sources.

The letter was addressed to the Senate Judiciary Subcommittee on Administrative Practice and Procedure, and was forwarded from there to the special Watergate prosecutor. Gingery, whose body was found in his Skyline Towers apartment in Baileys Crossroads, had been scheduled to testify before the subcommittee on Feb. 19.

There is no suggestion of wrong doing on Gingery's part, all officials contacted agree. According to two people who have read Gingery's letter, he apparently felt that his office, the Bureau of Enforcement, had not performed its function adequately.

"I almost got the impression that he was apologizing because his shop hadn't done a better job," said Robert F. Horan Jr., Fairfax County Commonwealth's attorney.

The Bureau of Enforcement is charged with investigating and acting on violations of air fare rates, route structures and such consumer items as no-smoking rules.

Through the parent Civil Aeronautics Board (CAB), the bureau can seek a number of penalties against air carriers ranging from reprimands and fines through suspension or revocation of licenses to operate.

If the bureau were looking at possible election law violations its investigation would be based on a requirement that airline corporations report to the CAB all contributions to "an entity" of \$5,000 or more, according to Stephen A. Alterman, chief of the bureau's legal committee.

Members of the subcommittee staff and a spokesman for

Subcommittee Chairman Sen. Edward M. Kennedy (D.-Mass.) conformed that Gingery's letter had been sent to the special prosecutor, but he would not say why.

A spokesman for the FBI, which entered the case at the request of Fairfax County police, said that there was information concerning "possible election law violations" by airlines. "We are investigating," the spokesman said.

Both American Airlines and Braniff International Airways have in the past pleaded guilty to making illegal contributions to the 1972 Nixon re-election campaign. Both firms were fined \$5,000.

The special Watergate prosecutor's office has a task force specifically investigating campaign contributions. The office had no comment yesterday on the Gingery matter.

William Hickman, a Seattle lawyer and close friend of Gingery's, said in a telephone interview yesterday that he had read the letter Gingery sent to the Subcommittee and that political contributions by some airlines "seemed to be a point around which it centered." Hickman said he could not recall the names of the specific airlines. The contributions, he said, might have included free flights or money or both.

"It seems to me he mentioned several airlines," Hickman said, "and that a couple of them had been given a floor-to-ceiling audit. The crunch (for Gingery) came when he found three files (on other airlines) that were closed and had been closed for three weeks before he became director of the bureau . . . The files were closed on the same day for reasons not obvious to Bill."

In addition to the letter to

the Subcommittee, Gingery left personal letters to Hickman and to Gingery's brother John, who lives in Montana.

Richard J. O'Melia, currently the acting chairman and a member of the CAB, was Gingery's predecessor as director of the bureau of enforcement. O'Melia, a Nixon appointee, was confirmed as a board member in November, 1973.

O'Melia said yesterday he, too, had read Gingery's letter. Asked about the reference to the three files, he said, "We're opening and closing files all the time. I would have no idea what you're talking about."

The CAB's procedures have been the subject of subcommittee hearings extending back to last fall. The board recently withdrew its minimum charter fare guidelines after harsh criticism to the effect that they constituted illegal rate-setting designed to protect the scheduled air carriers.

In hearing last week, the subcommittee produced evidence that the Board had pursued a deliberate but unannounced policy to severely limit new air route awards by not granting hearings on applications.

The CAB's Bureau of Enforcement, which Gingery headed, was scheduled to be the subject of the hearing held Feb. 19. Subcommittee staffers had talked with Gingery, who was going to appear along with O'Melia.

According to Hickman, Gingery "apparently came to the point of feeling that his honor was related to his job and that the performance of his duties was going to be held in question . . .

"He had a highly developed sense of honor and integrity." The three files, Hickman said, apparently "put it over the line. Why, it absolutely escapes me."