

# C-5 Critic Case Takes New Turn

## Washington

Lawyers for A. Ernest Fitzgerald have released five letters indicating that confidential information about his case that had been sent to the White House may have been improperly turned over to the Air Force.

Fitzgerald, a former management analyst for the Air Force is fighting his layoff, which was attributed to "economy." The layoff came after she had disclosed excess cost of \$2 billion or more on the C-5A airplane contract. He made the disclosure in testimony before Congress.

The letters will be presented to the Civil Service Commission tomorrow when it resumes its hearings in the case. All were from Clark R. Mollenhoff, former special counsel to the President, and are dated from August, 1969, to July, 1970.

The first letter was dated February 13 and addressed to President Nixon. It suggested the President take "direct action" to resolve Fitzgerald's case.

Mollenhoff argued that Air Force testimony at the civil service hearing, compared with what he personally

knew, made it evident that Fitzgerald was the victim of a "smear" and that there had been an "unconscionable Air Force cover-up."

He said that his testimony might win the case for Fitzgerald.

Mollenhoff, now Washington news bureau chief for the Des Moines Register and Tribune, said in an interview that White House press secretary Ronald L. Ziegler had talked to him after the letter was delivered, reported the President had read it personally and that it was being "staffed."

Mollenhoff sent a second, brief note to the President February 22, reminding him of the matter, stating that he was sorry to bother him with "this type of problem" that that "failure to solve these little problems makes the bureaucracy arrogant in its lack of responsiveness."

He said that he had put pressures on the White House because of the delays. He was told that John W. Dean III, chief legal counsel to the President, was handling the matter and not to talk with Fitzgerald.

After a few days, Mollenhoff continued, "I called Dean to ask what the situation was."

He said that Dean told him he was having trouble locating old memos on the case.

To speed things along, Mollenhoff said, he sent a detailed letter outlining more precisely what had happened in 1969 and how it conflicted with Air Force testimony. He said that the intent of the letter was to help Dean in questioning Air Force officials and was "not to be turned over to the Air Force in any circumstances."

"A day or so later," he said, "I start getting this rumble back from people around the Air Force" (about the letter).

He said that Dean had told him he had not personally turned the letter over to the Air Force, but an assistant, David Wilson, had done so.

"I said, 'That's a violation of our arrangement.' He said, 'I'm as concerned about it as you are.'"

*N.Y. Times Service*