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# Air Force Brings in Documents To Rebut Discharged Analyst

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WASHINGTON, April 6—The Air Force, relying on documents instead of witnesses attempted to introduce 19 packets of letters, memos and transcripts today to rebut testimony of A. Ernest Fitzgerald at a Civil Service Commission hearing.

Mr. Fitzgerald, who contends he was discharged from the Air Force for telling Congress of huge cost overruns on the C-5A military transport plane project, was a management analyst earning \$32,000 a year before he was let go in an "economy" move.

In a case that has taken about 25 hearing days in three years, Mr. Fitzgerald called 13 witnesses in attempts to show the motivation behind his dismissal.

#### Listed Company's Address

Lieut. Col. C. Claude Teagarden, representing the Air Force, offered the documents. He said the majority showed that Mr. Fitzgerald did not lose his functions as a management analyst after he testified before Congress. Most dealt with meetings he was assigned to attend. Others attempted to discredit him as a witness.

Herman D. Staiman, chief of the appeals examining office of the Civil Service Commission, accepted 16 documents accepted parts of another, made no immediate ruling on one and rejected another.

One, Colonel Teagarden said, showed Mr. Fitzgerald's notes in the margin of a document that the analyst asserted he had not seen before.

Another listed Mr. Fitzgerald's home address as the address of a company with which

he contended he had broken off all ties.

A third indicated Mr. Fitzgerald was not invited to the swearing-in ceremonies for Robert C. Seamans Jr. as Secretary of the Air Force. Mr. Fitzgerald had testified that he was at first invited, then told not to come, describing it as part of his social isolation on the job.

John Bodner Jr., one of Mr. Fitzgerald's lawyers, said he was "astounded at the procedure Colonel Teagarden is following."

He said the colonel had made a point of not cross-examining Mr. Fitzgerald.

"Now he's trying to do it indirectly by putting these documents into evidence," he added.

Mr. Staiman overruled the objections and denied a request by Mr. Bodner that he remove himself as an examiner because of bias. The request came after Mr. Staiman implied that Mr. Bodner was making statements for the benefit of newsmen in the hearing room.

Today's action closed the hearing, except for the filing of papers later and possible comments by Mr. Fitzgerald's lawyers on the new documents from the Air Force. No decision is expected until summer.