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Fitzgerald Grand Jury Demanded

Sen. William Proxmire (D-Wis.) is demanding the Justice Department open a grand jury investigation into the facts behind the Air Force decision five years ago to fire A. Ernest Fitzgerald, the outspoken cost expert.

"I can only conclude on the basis of the record in the Fitzgerald case that the Justice Department has, wittingly or unwittingly, become a party to a cover-up of criminal behavior on a rather massive scale," Proxmire said in remarks for the Senate.

Fitzgerald recently was returned to his old Air Force job by a Civil Service Commission ruling that he had been improperly fired.

That firing came after Fitzgerald testified before Proxmire's Joint Economic Committee that a billion-dollar cost overrun had developed in the production of the C-5A cargo plane by Lockheed Aircraft Corp.

Proxmire said that the Air Force made a maximum effort to prevent Fitzgerald from appearing, and then after he did subjected him to "a campaign of abuse and harassment that boggles the mind."

Proxmire said the Justice Department has ignored his request for an investigation into charges that high Air Force officials violated federal law that makes it a crime to threaten or injure a witness before a committee of Congress.

"The Justice Department has not only determined not to look beyond the facade of the Civil Service Commission proceedings . . . it has also decided to defend the very men involved in the retaliatory acts that were inflicted on Fitzgerald in a lawsuit brought by Fitzgerald," Proxmire said.

"This creates a blatant conflict-of-interest situation," the senator said.