

2 U.S. Aides Back Suicide Note Saying C.A.B. Chief Cut Off Politics Inquiries

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WASHINGTON, March 4 — The acting chairman of the Civil Aeronautics Board closed the investigations into illegal political contributions by several airlines while he was chief of the board's Bureau of Enforcement, two independent government officials said today.

The statements by a Congressional investigator and a law enforcement official, both of whom requested anonymity, agreed with an allegation made about Richard J. O'Melia, the acting chairman of the C.A.B., in the suicide note of a board official.

Mr. O'Melia denied he had closed the politically sensitive investigations.

"It is certainly true that the Bureau of Enforcement has been conducting, since mid-1973, investigations of possible violations of Civil Aeronautics Board financial reporting requirements arising from contributions made by certain airlines," Mr. O'Melia said in a brief statement.

"These investigations, begun when I was director of the Bureau of Enforcement, were continued by Mr. Gingery as my successor," Mr. O'Melia continued.

Shift in Directors

William B. Gingery took over as director of the bureau late in 1973 when Mr. O'Melia was named a member of the five-man board that directs the operations of the C.A.B.

On Feb. 17, Mr. Gingery apparently shot himself to death with a high-powered rifle, leaving behind a 10-page suicide letter.

In his note, a copy of which he sent to the Senate Subcommittee on Administrative Practice and Procedure just before his death, Mr. Gingery wrote that the former director of the bureau had "given instructions that the files were to

be impounded" and placed in the safe" and that the case was then viewed by C.A.B. investigators as "dormant, the investigation over."

The Senate subcommittee, headed by Senator Edward M. Kennedy, Democrat of Massachusetts, has been conducting extensive hearings on the C.A.B. in which the board has repeatedly been accused of taking actions that Mr. Kennedy has said have resulted in higher costs to the air traveler and lower profits to the airlines.

Both the subcommittee and the staff of the Watergate special prosecutor, Henry S. Ruth, said through spokesmen today that they were examining the allegations made by Mr. Gingery in his note.

American Airlines Case

During a subcommittee hearing last Friday, Ralph Nader, the consumer activist, criticized the C.A.B. for not imposing administrative sanctions on American Airlines even though the company pleaded guilty to making illegal campaign contributions almost a year and a half ago. Though American Airlines paid a \$5,000 fine in Federal court as a result of the plea, it was also subject to a fine or possible loss of operating rights for violating the C.A.B.'s financial reporting requirements.

Mr. O'Melia, in denying that he had closed campaign cases, said the results of the board's "investigations have been closely coordinated with the office of the special prosecutor and all files relating to these investigations have been made available to that office."

The special prosecutor's office, which brought the criminal

case against American Airlines, said the board had "made the files of the political contributions by airlines available to us. However, "The office continued," the C.A.B. investigative plans and actions concerning violations of C.A.B. rules has not been closely coordinated with this office."

In his denial, Mr. O'Melia said that it was not the function of the Bureau of Enforcement that he headed to close files. "This is the responsibility of the chief of the C.A.B.'s investigative division," he said.

In his suicide note, Mr. Gingery said that when he took over as chief of the bureau he was "preoccupied with the administrative chaos I found at the bureau, including a file room of such squalor that I vowed to the staff I would not set foot in it until the situation was rectified, a thoroughly confused organizational structure under which no one seemed to coordinate anything with anyone else, in which files were continuously lost and manpower applied to projects that appeared and disappeared as if by magic; all of this taking place in that what I viewed as shabby and substandard physical surroundings."

President Ford announced last Friday that he would nominate John E. Robson, a Chicago lawyer and Transportation department official, to the C.A.B. and name him chairman as soon as he was confirmed by the Senate. Mr. Robson will take the place of Whitney Gilliland, who is retiring from the board.