

# CITIZENS CAMPAIGN FOR A CONGRESSIONAL INQUIRY INTO POLITICAL ASSASSINATIONS (CCCIPA)

September 24, 1976

Hon. Thomas N. Downing  
Chairman  
Select Committee on Assassinations  
U.S. House of Representatives  
2135 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Downing:

We are writing you on behalf of the membership of the Citizen's Campaign for a Congressional Inquiry into Political Assassinations, a nation-wide organization of citizens seeking a thorough and open investigation of political assassinations in the U.S. We wish to congratulate you and the members of the House Select Committee on the important duties which you have undertaken. We feel that it is crucial that your investigation be a successful one, and that the truth of the John F. Kennedy and Martin Luther King assassinations be found.

From a review of the nine previous governmental inquiries into these assassinations, it is possible to isolate several important factors which are needed if any new investigation in this area is to succeed. Perhaps paramount among these is the selection of committee staff on the basis of professional competence and public credibility. It is with this in mind that we wish to express our deep concern over reports that Bernard Fensterwald, Esq., is being considered for the position of Chief Counsel and Staff Director of the Committee. There are grounds which seriously impair Mr. Fensterwald's fitness for this post. Briefly stated, the major grounds are:

. 1973 Watergate Testimony. On May 24, 1973, Gerald Alch, Esq., an associate of F. Lee Bailey and attorney to James McCord, testified before the Senate Watergate Committee that the Committee to Investigate Assassinations, a private group headed by Mr. Fensterwald, had received monies from McCord Associates, an investigative firm headed by Mr. McCord, a Watergate burglar and former CIA agent. The monies, in the form of checks, were cashed at the Committee to Investigate Assassinations by Lew Russell, chief investigator for the House Unamerican Activities Committee. Mr. Russell died on July 3, 1973 before he could be

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questioned by the Ervin Committee. Although Mr. Fensterwald has denied Alch's testimony, Alch has offered to take a lie detector test to verify it. While the Ervin Committee did not pursue this matter, Mr. Alch's testimony does raise initial questions as to the independence of Mr. Fensterwald's activities in the assassination field, and as to a possible relationship between the Committee to Investigate Assassinations, McCord Associates, and conceivably the CIA.

. 1965 Senate Subcommittee on the Invasion of Privacy. In 1965, Mr. Fensterwald was Chief Counsel for this Senate subcommittee, chaired by Senator Edward Long of Missouri. Serious analysts of the subcommittee's work have concluded that the functional effect of the subcommittee was to thwart the on-going Department of Justice investigation of organized crime. This conclusion is documented in Hank Messick's books, HOOVER and SECRET FILES, in Michael Dorman's book PAY-OFF, and in two articles by William Lambert in the May 26, 1967 and November 6, 1967 issues of Life Magazine. Before any serious consideration of Mr. Fensterwald as Chief Counsel, your Committee should be appraised of whether in fact the Long subcommittee did function to protect organized crime interests from prosecution, and if so, what Mr. Fensterwald's role in the subcommittee work might have been.

. 1974 Martin Luther King Declarations. In recent years, Mr. Fensterwald, acting through the Committee to Investigate Assassinations, has made declarations to the press that dramatic revelations would be made concerning specific assassinations. For example, in 1974 Mr. Fensterwald announced that unnamed men who were the actual assassins of Dr. King would shortly step forward and name the wealthy industrialists who had purportedly financed the assassination. In fact no such persons have stepped forward. The functional effect of such unsubstantiated dramatic declarations has been to undercut the public impact of serious assassination research. To be effective, the Chief Counsel of your Committee must work with discretion and responsibility. There is serious question as to whether Mr. Fensterwald's untoward public declarations demonstrate these required qualities.

We would be happy to provide you with additional information, or to expand on the information we have included here in summary form, should you find it useful in your deliberations. We do not in the slightest intend by this letter to impugn Mr. Fensterwald's professional competence. These circumstances of Mr. Fensterwald's past, however, do cast doubt on whether he would be able to sustain the public credibility and confidence demanded of the position of Chief Counsel. We urge you and your Committee to search among a wide roster of talented professionals in deciding on the position of Chief Counsel and Staff Director, and on the composition of your Committee staff.

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Thank you for this opportunity to submit our views. With all good wishes.

  
ALFRED WEBRE  
For CCCIPA

cc. Hon. Henry B. Gonzalez  
Hon. Richardson Preyer  
Hon. Louis Stokes  
Hon. Walter E. Fauntroy  
Hon. Yvonne B. Burke  
Hon. Christopher J. Dodd  
Hon. Harold E. Ford  
Hon. Samuel L. Devine  
Hon. Burt L. Talcott  
Hon. Stewart B. McKinney  
Hon. Charles Thone