

Fensterwald:

By John Hanrahan
Washington Post Staff Writer

Bernard (Bud) Fensterwald, a private investigator of the assassinations of the Kennedys and Dr. Martin Luther King Jr., authority on electronic surveillance and former Senate prober, is an attorney who almost seemed destined from his background to become involved in the Watergate case.

Fensterwald, 52, signed on as lawyer for Watergate conspirator James W. McCord Jr. in early March, after McCord had already been convicted, and there have been fireworks ever since.

In testimony before the Senate select committee on the Watergate yesterday, McCord's former attorney, Gerald Alch, alleged that Fensterwald had told him in April that Fensterwald and McCord were "going after the President of the United States."

After the hearing, Fensterwald denied that he had ever made such a statement to Alch.

In a later telephone interview, Fensterwald said he first met McCord March 7 when McCord was freed on \$100,000 bail. This was just 16 days before U.S. District Court Judge John J. Sirica, in open court, read McCord's now-famous letter alleging there had been perjury in the Watergate trial and that the defendants had been pressured to plead guilty.

Fensterwald said he first became involved in McCord's behalf when he was approached by a mutual friend, Lou Russell, who was seeking assistance in raising McCord's bail. (Fensterwald reportedly put up \$40,000.) Russell, a former congressional investigator, had worked for McCord at one time, Fensterwald said.

Fensterwald said he had had nothing to do with McCord sending the letter to

Sirica. He said McCord decided to accept him as co-counsel "because he knew I had experience with congressional committees and that I knew Sam DaSh (the select committee chief counsel) and could arrange for him to testify."

As Alch related yesterday, Fensterwald began playing a key role after March 19 because Alch was busy with a trial in Chicago. It has been in the period since then that the most sensational public disclosures in the Watergate case have come—many of them thus far from the mouth of McCord.

Fensterwald's career shows that he has long been fascinated with intrigue, conspiracies and political witch hunts.

In six years as assistant to the legal adviser in the State Department, Fensterwald had to read classified documents on some of State's career men whose security clearances were suspended because of the atmosphere created by the anticommunist investigations of the late Sen. Joseph McCarthy, he recalled in a 1969 interview.

Fensterwald left the State Department in 1956 to serve as a foreign policy adviser to Sen. Estes Kefauver in the late Democratic senator's vice presidential bid.

For the next two years, he served as administrative assistant to Missouri Sen. Thomas C. Hennings Jr. (One of Hennings' daughters, Karla, later married and then was divorced from another key Watergate figure, John W. Dean III, former chief presidential counsel.)

In 1959 and 1960, Fensterwald served as chief counsel on the Senate Subcommittee on Constitutional Amendments. In 1961, he rejoined his old boss and fellow Tennessean, Kefauver, as staff director of the Senate Anti-

MAY 24 1973

Attracted by Intrigue

trust and Monopoly Subcommittee that Kefauver headed.

It was in this post that Fensterwald encountered the intrigues of the business world. He assisted Kefauver in hearings that produced evidence that sent several top electrical company executives to jail for price-fixing. He also aided Kefauver in his inquiry into excessive profits of drug companies.

Fensterwald then went on to the Senate Subcommittee on Administrative Practice and Procedures of the Judiciary Committee, where he became involved in investigating wiretapping and other electronic surveillance by government agencies.

The 1967 hearings were notable for Fensterwald's public conflict with the late Sen. Robert F. Kennedy over whether Kennedy, as attorney general, had authorized certain wiretaps.

In the hearings, Fensterwald sharply questioned federal agents as to whether the government had used illegal wiretaps to obtain evidence against Teamsters Union President James Hoffa and others.

New legislation restricting electronic surveillance resulted from the hearings, along with a Life magazine expose charging that the late Sen. Edward V. Long (D-Mo.), the Subcommittee chairman, had split legal fees with one of Hoffa's lawyers.

Long was defeated in 1968 and Fensterwald left Senate service. Unhappy over both departures, Fensterwald commented later that the wiretap hearings were "the ones that did us all in."

In 1969, the Committee to Investigate Assassinations (a CIA not to be confused with the CIA—Central Intelligence Agency—McCord once served) was formed with Fensterwald as executive director. Another founder was Jim Garrison, former New Orleans district attorney, who has maintained that it was a widespread conspiracy that led to the assassination of President John F. Kennedy.

Pursuing clues all over the United States and Europe, Fensterwald attempted to discredit the official Warren Report on President Kennedy's assassination. He also investigated the assassination of the President's brother, Sen. Robert Kennedy, and the Rev. Martin Luther King. His probe of the King slaying eventually led him to become the attorney of record for King's convicted killer, James Earl Ray, in 1971. Fensterwald has recently been attempting to reopen Ray's case.

Fensterwald apparently had been looking into the accused Watergate conspirators as early as last December when he called a Washington Post reporter concerning a possible abortive attempt to assassinate President Kennedy in 1961 in Paris by some of the Watergate conspirators.

The reporter, Paul Valentine, was introduced to a woman who had been to Paris to visit author Camille Gilles, who had just written a book quoting a French soldier of fortune, Jose Luis Romero, who said he was approached about a possible assassination attempt on Kennedy in 1961.

The approach, according to articles published in France, came first from a U.S. embassy officer in Algeria, who then introduced Romero to two other Americans.

The Americans suggested a plan to assassinate President Kennedy when he came to Paris and to do it in such way as to make it appear it was really an attempt to assassinate French Premier Charles de Gaulle by Algerian freedom fighters. Romero said the plan never reached fruition.

The woman said she had brought pictures of the Watergate conspirators to Gilles who, in turn, took them to Romero who was in hiding. The woman said Romero identified two of the Watergate seven defendants as the men who had approached him in Algeria in 1961.

The Post contacted Gilles, but he did not confirm the woman's story. Romero could not be located.

In Alch's testimony yesterday, Fensterwald was quoted as saying that he had a "past relationship" with McCord, joking reference to McCord's having given contributions to Fensterwald's Committee to Investigate Assassinations.

Fensterwald said last night that McCord had never contributed to the committee.

Fensterwald is the independently wealthy son of a clothing merchant in Nashville. He graduated magna cum laude from Harvard College in 1942 and received his law degree in 1949 from Harvard Law School. He and his second wife live in Arlington.