EX-112

2/9/72

Airtel

1 - Mr. Huppert

REC-55 47- 55254 - 1

TO: SAC, Albuquerque

FROM: Director, FBI

BERNARD FENSTERWALD, JR., aka
BUD
IMPERSONATION
OO: LA

ReAQairtel in captioned matter dated 2/2/72, and Butelcals to WFO and LA dated 2/8/72.

For the information of Albuquerque and Dallas, the Bureau, in referenced telephone calls, instructed Washington Field and Los Angeles to disregard leads set forth for those offices by Albuquerque.

A review of Bureau files disclosed that captioned individual was formerly Chief Counsel of the U. S. Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure. During the four years he held this position, Fensterwald frequently contacted the Bureau. During his contacts he exhibited himself as unscrupulous, untrustworthy and anti-FBI. In January, 1969, it was publicly announced that a group of individuals were forming the "National Committee to Investigate Assassinations." Fensterwald was to be Executive Director of this committee, whose board members included Jim Garrison, District Attorney, New Orleans; [redacted]; Fred J. Cook, Author; and others.

MAILED 25 FEB - 9 1972 FBI

b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-4-96 BY SP4-BJA-ALB

2 - Washington Field
2 - Los Angeles
1 - Dallas (For information) #35192
1 - Bufile (62-112697) (Enclosure)

JDH:fir
(10)

SEE NOTE PAGE TWO. . .

XEROX

FEB 14 1972

55 FEB 18 1972

MAIL ROOM TELETYPE UNIT

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Waikart
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holm
Miss Gand

62-109060-1
62-112697-1

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In view of the above, and, in view of the apparent mental state of [redacted], the source of information in referenced airtel, it is not felt that this matter should be pursued. b6 b7C

NOTE: By airtel dated 1/27/72, entitled "Assassination of President John Fitzgerald Kennedy, 11/22/63, Dallas, Texas, Miscellaneous - Information Concerning," Albuquerque was instructed to interview [redacted] for information allegedly in his possession concerning the assassination of President Kennedy. This information was furnished to the Bureau by Albuquerque airtel under the Kennedy caption dated 2/2/72. b6 b7C

[redacted] was interviewed on 2/1/72, concerning the assassination of President Kennedy, at which time he furnished details of his own background. He said he is now a paraplegic, following a serious operation in July, 1971. At the time of interview, [redacted] desired to furnish details of his harassment by the "Federal Government" which lasted from 1967 to 1971. [redacted] furnished rambling allegations concerning his having been under surveillance; regarding his telephone being monitored; and reports that "the FBI was opening his mail.", etc. Included in his rambling, were references to Bernard Fensterwald, Jr., Arlington, Virginia, whom [redacted] claimed displayed FBI credentials to [redacted] further alleged that Fensterwald gave [redacted] wife a Washington FBI telephone number where Fensterwald could be reached. Washington Field was requested to interview Fensterwald and Los Angeles was requested to conduct investigation at Upland, California, regarding allegation that an assistant Postmaster told [redacted] that the FBI was checking and/or confiscating his mail. b6 b7C

In view of the nature of statements made by [redacted] and the unsavory reputation of Fensterwald, it is not felt this matter warrants investigation as an Impersonation case. b6 b7C

FD-36 (Rev. 5-22-64)

FBI

Date: 2/2/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12-4-96 BY SP4-BTA-MLD #351592

TO: DIRECTOR, FBI

FROM: SAC, ALBUQUERQUE (47-New) P

SUBJECT: BERNARD FENSTERWALD, JR., aka Bud
IMPERSONATION
OO: Los Angeles

MCT-27 REC-55

Re Bureau airtel, 1/27/72, captioned "ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, 11/22/63, DALLAS, TEXAS, MISCELLANEOUS - INFORMATION CONCERNING," which instructed Albuquerque to interview [redacted] for full details concerning his willingness to make available information concerning the assassination of President KENNEDY. b6 b7C

By separate communication, the Albuquerque Office will furnish the Bureau the information [redacted] made available concerning the alleged plot involving LEE HARVEY OSWALD and others in the KENNEDY assassination. b6 b7C

On 2/1/72, [redacted], also known as [redacted] was interviewed at his residence in the presence of his wife [redacted]. [redacted] stated he is a paraplegic and has now retired following a serious operation in July, 1971. He said at one time he [redacted] He stated he moved from Virginia to Hollywood, California, in 1951 and seven years later moved to Upland, California, where he remained 13 years doing free lance writing. b6 b7C

REC-55 EX-112

MCT-27

55254 -

22 FEB 7 1972

(3) - Bureau (RAM)
(1 - 62-109060)
2 - WFO (RAM)
1 - Dallas (Info) (RAM)
2 - Los Angeles (RAM)
3 - Albuquerque
(1 - 89-27)

Rec'd in Sacramento 2/9/72 9:00 AM

GKM:mcc
(11)

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

FEB 14 1972

U. S. GOVERNMENT PRINTING OFFICE: 1971—413—135

UNRECORDED COPY FILED IN 62-109060-

62-112597-

In 1967, he became acquainted with [redacted] in Cucamonga, California. [redacted] described [redacted] as a former Union Steward at the Kaiser Steel Company, who now works as an auditor for a building materials company. [redacted] recently moved to Ontario, California; however, at the time, [redacted] became acquainted with him, he was a part-time bartender. While dining with his wife one night in a place where [redacted] was tending bar, [redacted] suggested he write a story on a friend of his, [redacted], [redacted] thought [redacted] could sell this story to one of the adventure story magazines since [redacted] was an [redacted] b6 b7C

Subsequently, [redacted] contacted [redacted] and began preparing an article for "True" magazine. [redacted] not only informed [redacted] about his life story but also hinted he had information concerning LEE HARVEY OSWALD being part of a conspiracy to kill President KENNEDY. This, of course, intrigued [redacted] who thought he could write another story and have it published along these lines. b6 b7C

About this time, according to [redacted], he began to receive harassment from the "Federal Government," which lasted until 1971. According to [redacted], this harassment consisted of having his mail opened and/or delayed. In this regard, he said he contacted the Assistant Postmaster at Upland, CAlifornia, who at first denied there was any problem but who subsequently told him the FBI was opening his mail. [redacted] had Post Office Box [redacted] at Upland, California. Further, he felt certain his telephone was being monitored because whenever someone tried to make an outgoing call there were always voices in the background and the sound of some machinery, such as a typewriter. Furthermore, while holding telephone conversations, the operator interrupted on several occasions and indicated either he or a member of his family would have to get off the line because of an emergency. At one time the operator indicated there was an emergency involving a member of his family and he should hang up so that the authorities could contact him. He did so immediately but no call came in. When he tried to check this out, the telephone company and local authorities denied any knowledge of the affair. Also, according to [redacted] he and members of his family were under surveillance by "always two men in dark business suits"during this period of time." b6 b7C

AQ 47-New

In July, 1971, while he was in the hospital having an operation, two men came to his residence in Upland, California, and displayed what [redacted] believed were FBI credentials. They then entered the residence and proceeded to the bedroom where they forced open a desk by breaking the lock. They said they were looking for "the manuscript," but did not take anything. b6 b7C

[redacted] stated he received a letter dated 10/7/68 from BERNARD FENSTERWALD, JR., 4036 North 27th Street, Arlington, Virginia, which stated FENSTERWALD was doing research with respect to the KENNEDY and KING assassinations. FENSTERWALD said it had come to his attention that [redacted] and/or [redacted] may have some very valuable information and it would be appreciated if they could make this available. He entered into correspondence with FENSTERWALD and determined he was a member of a law firm (FENSTERWALD and OHLHAUSEN, 927 15th Street, NW, Washington, D. C., 20005). He also received correspondence on letterhead paper of "COMMITTEE TO INVESTIGATE ASSASSINATIONS," which also had the address of 927 15th Street, Washington, D. C. Subsequently, he met FENSTERWALD and according to [redacted], FENSTERWALD displayed to him FBI credentials. Also during the time he was in the hospital, FENSTERWALD contacted his residence and gave his wife a telephone number where he could be reached in Washington, D. C., which he said was the FBI telephone number. [redacted] claims she verified this was FBI Headquarters in Washington by checking with the telephone company. b6 b7C

LAWYER D.C.

In July, 1971, following his release from the hospital, [redacted] was determined to put an end to the harassment and discussed it with FENSTERWALD. FENSTERWALD told him that the harassment would stop if [redacted] would write him a letter in care of the FBI in Washington, D. C., and state in his letter that he was going to stop investigating the assassination. He was to send a copy of this letter to the Central Intelligence Agency in McLean, Virginia. [redacted] said he did not write this letter but did cease his efforts to prepare a story for publication. b6 b7C

About three months ago, [redacted] moved to Albuquerque. He said he has not suffered any harassment since his move, but his married daughter, [redacted] who remained in Upland, California, with her husband, called him about a week ago and advised she was still being followed. She further stated, according to [redacted], that a friend of hers whose mother works in the Post Office, asked her what sort of scandal her b6 b7C

parents were involved in since the mother had said the FBI had confiscated all of their mail at the Upland Post Office and thus prevented it from being forwarded to [redacted] in Albuquerque. b6 b7C

[redacted] also has been in contact with JAMES GARRISON concerning the alleged KENNEDY assassination plot and advised he learned from GARRISON that FENSTERWALD has held the following positions: b6 b7C

Lieutenant in U. S. Navy;
Chief Legal Advisor to Senator EDWARD LONG of Missouri;
Chief Counsel for the Senate Sub-Committee on Administrative Practices;
Department of State Official in the Foreign Policy Division;
Graduate of Harvard Law School

Albuquerque files contain no information concerning [redacted] or his wife, or BERNARD FENSTERWALD, JR. The files do indicate [redacted] He said he does not know the current whereabouts of [redacted] but felt the San Bernardino Resident Agency would have this information. In this connection, [redacted] stated he would appreciate it if the FBI would not advise either [redacted] or [redacted] that he was furnishing information concerning them to the FBI because he feared they would attempt retaliation against him or members of his family. He also requested no contact be made with his daughter, [redacted], since he felt this would upset her further and could possibly jeopardize her employment. He did not state why he felt this would occur. b6 b7C

[redacted] stated he had abandoned all plans for publication of any material he has received from [redacted] and that, in fact, he would have to forfeit his Government pension should he receive outside income. He said his purpose in contacting the FBI at this time was to cause an end to the harassment of him and his family, which they have suffered for over four years. b6 b7C

AQ 47-New

Albuquerque believes that [redacted] is sincere but definitely confused and that appropriate investigation should be conducted to determine if, in fact, FENSTERWALD and/or others are identifying themselves as FBI personnel. In this regard, the following leads are set forth: b6 b7C

WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Interview BERNARD FENSTERWALD, JR., to determine the nature of his association with [redacted] and ascertain whether he ever displayed FBI credentials or furnished the FBI Headquarters telephone number as being his. Also determine whether he ever advised [redacted] that harassment would stop if [redacted] would write him a letter in care of the FBI in Washington, D. C. b6 b7C

LOS ANGELES DIVISION

AT UPLAND, CALIFORNIA

Contact Postal authorities to determine whether any checks on the [redacted] mail have been made and whether an Assistant Postmaster or other employee told [redacted] that the FBI was checking his mail or confiscating his mail. b6 b7C

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1319244-0

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Page 216 ~ Referral/Consult;
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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

CC-150

To: COMMUNICATIONS SECTION. AUGUST 18, 1949 URGENT

Transmit the following message to: SAC, MEMPHIS
BOSTON

RECORDED 77-44206-1

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS: CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE: AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION: DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTED TO TENNESSEE BAR. REFERENCE: ABE D. WALDAUER, ATTY., COMMERCE TITLE BLDG., MEMPHIS, TENNESSEE.

BOSTON

HARVARD COLLEGE (GOVT.) CAMBRIDGE, MASSACHUSETTS, FORTY TWO, B.S. MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL.B., FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE: LOUIS SOHN, LECTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX. REFERENCE: MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT AVENUE, N.W., WASHINGTON, D. C.

CHECK CSC, ONI AND HCUA FILES.

INCLUDE IN YOUR REPORT A STATEMENT THAT THE BUREAU ADVISED YOU THAT A SEARCH OF THE CENTRAL FILES OF THE FBI HAS BEEN MADE AND NO INFORMATION OF A DEROGATORY NATURE CONCERNING LOYALTY, WHICH COULD BE IDENTIFIED WITH APPLICANT WAS FOUND.

ALL OFFICES

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLP/dmj

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 18 1949

CC: WASHINGTON FIELD (BY SPECIAL MESSENGER)

77-44206

JAL/cmn

SENT VIA TELETYPE 4:40 P M Per cw

AUG 18 1 27 PM '49
RECEIVED
FBI
U.S. DEPT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG

TELETYPE

BOSTON FROM WASH 2 18 240 PM

SAC, U R G E N T

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS-- CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE-- AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION-- DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTED TO TENNESSEE BAR. REFERENCE-- ABE D. WALDAUER, ATTY., COMMERCE TITLE BLDG., MEMPHIS TENNESSEE.

BOSTON.....

HARVARD COLLEGE /GOVT./ CAMBRIDGE, MASSACHUSETTS, FORTY TWO, B. S. MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL.B., FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE-- LOUIS SOHN, LCTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD.....

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX. REFERENCE-- MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT

END PAGE ONE

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DATE 8/5/94 BY 5668 SLD/dmj

AVENUE, N.W., WASHINGTON, D. C.

MAKE AGENCY CHECKS.

ALL OFFICES.....

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

HOOVER

ME AND WFO ADVISED

ACK AND HOLD PLS

6WA R 2 BS

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FBI WASHINGTON DC 8-18-49 2-13 PM FEJ

SAC, MEMPHIS URGENT

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS-- CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE-- AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION-- DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTEED TO TENNESSEE BAR. REFERENCE-- ABE D. WALDAUER, ATTY., COMMEC XXX COMMERCE TITLE BLDG., MEMPHIS, TENNESSEE.

BOSTON.....

HARVARD COLLEGE /GOVT./ CAMBRIDGE, MASSACHUSETTS# FORTY TWO, B. S. MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL. B. , FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE-- LOUIS SOHN, LECTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD.....

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX.

REFERENCE-- MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT AVENUE, N. W. WASHINGTON, D. C.

MAKE AGENCY CHECKS.

DECLASSIFICATION AUTHORITY DERIVED FROM: FBI AUTOMATIC DECLASSIFICATION GUIDE
DECLASSIFY ON: 25X
8/5/94 5668 SLD/dmg
CA#94-0055 HHG

END PAGE ONE

PAGE TWO

ALL OFFICES.....

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

HOOVER

CORR LINE FOUR LAST WORD SHUD BE "ADMITTED"

LINE 8 FIFTH WORD SHUD BE "MASSACHUSETTS,"

BS AND WFO ADVISED

END

ACK PLS

OK FBI ME AG

F-19

Subj: Bernard Fensterwald, Jr.

Address: Mass

Birthdate: 8-2-31-Bos SUPV: May

Misc:

R# 4643 Date 8/16 Searcher Initial

FILE NUMBER	SERIALS

Peyton Ford
The Assistant to the Attorney General

Department of Justice
Washington

MEMORANDUM FOR MR. HOOVER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Please obtain a report relative to the character, reputation and qualifications of the individual named below who is under consideration for appointment to the position indicated below with the Department of Justice:

NAME IN FULL FENSTERWALD, BERNARD Jr., Clarendon Ave., Nashville, Tennessee
(Female Applicants - Maiden Name)

POSITION UNDER CONSIDERATION Legal position -- Antitrust Division

LEGAL RESIDENCE Tennessee

DATE OF BIRTH Aug. 2, 1921 Verify PLACE OF BIRTH Nashville, Tennessee

If not born in the United States and not naturalized, date and port of entry of applicant into the United States

If naturalized, date and place of naturalization

MARITAL STATUS

EDUCATION: a. High School or equivalent Duncan Preparatory School, Nashville, Tennessee

Harvard College (Govt.) Cambridge, Mass. 1942; B.S.Magna cum laude

b. College or Technical (1938-1942)
Harvard Law School Verify " 1949;LL.B.;1946-1949.

c. Miscellaneous

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj
CA#94-0655 HHG

Names of clubs, societies and similar organizations of which applicant is a member Association of Advocates of the Texas Bar

Date of admission to the Bar Name of State in which admitted:

BUSINESS EXPERIENCE:

Name and Address of Employer	Position	Period of Employment
School of Advanced International Studies, Peterboro, New Hampshire	Student	at present.
Lieutenant United States Navy Reserve Corps		5-1942--5-1946
1 year with Naval Communications, Washington, D. C.		
2 years in S.W. Pacific as Asst. Comm. Officer and Division Officer aboard the APA 15 (Engaged in amphibious warfare)		
½ year in Washington, Bureau of Naval Personnel (Serial No. 142274)	Administrative duties	
Course in rudiments of Naval Law, Boston, Mass.		Jan. 1948

Arrests or law suits in which applicant has been involved
The applicant states none.

77-44206-1
RECORDED
50 AUG 16 1949

List names of any relatives in the Government service with degree of relationship and where employed
The applicant states none.

REFERENCES: (Preferably five)

Name	Residence Address	Business Address
Abe D. Waldauer, Atty.		Commerce Title Bldg.,Memphis, Tenn.
Milton Starr, Businessman		1020 Conn. Ave.,N.W., Washington, D.C.
Louis Sohn, Lecturer at Law School		Harvard Law School, Cambridge, Mass.

QUICK TELETYPE XX

REGULAR REPORT

Peyton Ford
The Assistant to the Attorney General

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

FILE NO. 77-3951 MEM

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
BOSTON, MASS.	8/26/49	8/23,24/49	EARL L. FAUVER

TITLE	CHARACTER OF CASE
BERNARD FENSTERWALD, JR.	DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Applicant attended Harvard College, Cambridge, Mass., 1938-1942, receiving B.S. degree in Government; Harvard Law School, October, 1946 to May, 1949, receiving LL.B. degree. Better-than-average student; no disciplinary action against him. References ABE D. WALDAUER and MILTON J. STARR recommend applicant as loyal American of excellent reputation and character. Reference LOUIS SOHN had no derogatory information concerning applicant and no reason to question his loyalty. Neighborhood, Cambridge, Mass., favorable. Credit and criminal negative.

AGENCY phata - OSD
REQ. REC'D 8-22-57
REP'T FORW. 8-26-57
BY Inca - Ju -

- R U C -

REFERENCE: Memphis teletype dated 8/19/49 to Director, Washington Field and Boston.

DETAILS:

Education

The records of the Registrar's Office, Harvard College, Cambridge, Mass., reflected that the applicant attended Harvard College from 1938 to 1942, and received a B.S. degree in Government in 1942. Applicant's birth date was verified as August 2, 1921, at Nashville, Tennessee. The records indicated that applicant was a better-than-average student and that no disciplinary action was taken against him while he attended the college.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668SD/br

cc C IC
Rec 3/31/50
MJL

Mrs. G. M. LADD, Registrar's Office, Harvard Law School, Cambridge, Mass., furnished records which indicated that applicant attended law school from October, 1946, to May, 1949, receiving an LL.B. degree. Applicant in his first

APPROVED AND FORWARDED: Ed Fauver SPECIAL AGENT IN CHARGE

DO NOT WRITE IN THESE SPACES

77-44206 - 2

RECORDED - 93

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3 Bureau
2 Boston

6 Cys

259

U. S. GOVERNMENT PRINTING OFFICE 7—2034

year at the law school ranked 67 in a class of 365; in his second year, he was 68 in a class of 372; and in his last year was 69 in a class of 395. On May 25, 1949, he received the Addison-Brown Award, a scholastic honor.

Professor TOEPFER, Assistant Dean of the Faculty, Harvard Law School, stated he remembers applicant as a student and considered him to be a very nice boy, but he advised that he knew nothing concerning applicant's loyalty. Professor TOEPFER advised he knew applicant only from the few times applicant was in and out of his office but he could see no reason why applicant should not be recommended for a position with the Government. Professor TOEPFER advised that applicant was a member of the King's Bench, a social club and a member of the Brocker Law Club.

References

Professor LOUIS SOHN, lecturer at Harvard Law School, Harvard University, Cambridge, Mass., advised that he has known applicant since January of this year and that applicant was in one of his classes which contained only about twenty students. As a result of this, he came to know applicant fairly well. Professor SOHN advised that applicant was a very good student and a pleasant individual who appeared to be well liked by his fellow students. Professor SOHN stated that he had never heard any derogatory statements concerning the applicant and he had no reason to question the applicant's loyalty to this country. Professor SOHN stated that he knew very little concerning applicant's outside activities.

ABE D. WALDAUER, attorney and United States Collector of Customs, Memphis, Tennessee, advised that he has known applicant and his family since 1924 in a social way. He said that applicant had a brilliant war record and was of unquestioned loyalty. Applicant has recently graduated from Harvard Law School and passed the Massachusetts Bar Examination, and WALDAUER said that he assisted him in his preparation for that examination and found him to be a brilliant law student. According to WALDAUER, applicant is of excellent reputation and character and he was glad to recommend him for instant position. Mr. WALDAUER was interviewed at West Yarmouth, Mass.

MILTON J. STARR, formerly associated with the Office of War Information and the War Assets Administration, and now an owner of a chain of moving picture houses in Washington, D. C., was interviewed at West Yarmouth, Mass., and advised that he has known applicant since applicant was a "little boy." He said that applicant always had a desire to do foreign

service work and was advised that it would be well for him to take a course in law and pass the Bar for a foundation for any diplomatic service or any other good Government position; therefore, he decided to complete his law course at Harvard University.

STARR added that applicant has a splendid reputation, is unusually intelligent and very ambitious. He feels that applicant "will really go places in Government Service." He felt that there was no question as to applicant's loyalty and pointed out his brilliant war record and his willingness to make Government Service his life's work.

Neighborhood

Miss GOLDIE CRAWFORD, landlady, 7 Irving Terrace, Cambridge, Mass., where applicant is presently residing, advised that she has known applicant and his wife for about a year. Miss CRAWFORD recommended applicant in every way. She considered him to be one hundred per centloyal to this country and stated there was not enough she could say in his favor. Miss CRAWFORD advised that applicant and his wife are the finest tenants she had ever had in her home and that she could recommend him highly for any position of trust.

Credit and Criminal

Miss MILDRED KING of the Credit Bureau of Greater Boston, Inc., 52 Chauncy Street, Boston, Mass., advised that a search of her records revealed no credit record for the applicant.

Miss CATHERINE CAROLAN of the Massachusetts Board of Probation, Boston, Mass., a central repository for all criminal arrest records in the state of Massachusetts, advised that a review of her files revealed no criminal record for applicant.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

ADMINISTRATIVE DETAILS

Investigation at West Yarmouth, Massachusetts, was conducted by Special Agent WILLIAN H. CARPENTER.

Credit and criminal checks at Boston were made by Special Employee LUTHER MUNSON.

On 8/23/49, a teletype was sent to the Washington Field Office, advising that all records of the School of International STudies, Peterboro, New Hampshire, had been forwarded to the school's main office on Florida Ave., N.W., Washington, D. C.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

FILE NO. 77-29779

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
WASHINGTON, D. C.	8/31/49	8/24,25/49	WILLIAM P. KOSTERMAN WPK:RML

TITLE	CHARACTER OF CASE
BERNARD C FENSTERWALD, JR.	DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Applicant appointed Ensign, United States Naval Reserve, April 3, 1942; reported for active duty, September 18, 1942; detached from duty, March 1, 1946; released from active duty, May 1, 1946. Received ten-day suspension from active duty when group of officers and men under his charge violated orders concerning their conduct while sight-seeing in Philippine Islands. Applicant attended School for Advanced International Studies, Washington, D. C., January 1946 - June 1946; Peterboro, New Hampshire, summer sessions of 1947 and 1949. Completed curriculum for Master of Arts Degree in International Affairs. Former landlord deceased. Former acquaintance at 1365 Geranium Street Northwest, recalls applicant favorably. Office of Naval Intelligence, House Committee on Un-American Activities, Civil Service Commission, criminal, credit, Federal Bureau of Investigation central files regarding loyalty, negative concerning applicant.

- RUC -

AGENCY Phila. - OSD
REQ. REC'D 8-22-54
REP'T FORW. 8-26-57
BY Mca - Jr -

REFERENCES: Bureau File 77-44206.
Bureau Teletype dated August 18, 1949.
Boston Teletype dated August 23, 1949.

cc CDE
Jne 3/31/50
mick

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SDL dmj

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
		77-44206-3

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1 - Washington Field

61

U. S. GOVERNMENT PRINTING OFFICE 7—2034

259

WFO - 77-29779

DETAILS: AT WASHINGTON, D. C.

NAVY RECORD

The applicant's Naval Officer Record reflected that BERNARD FENSTERWALD, JR., born August 2, 1921, at Nashville, Tennessee, had been appointed an Ensign, United States Naval Reserve, on April 3, 1942, with Serial Number 142274; he reported for active duty on September 18, 1942; he was detached from duty on March 1, 1946, at Washington, D. C., and ordered home; on May 1, 1946, he was released from active duty as a Lieutenant, United States Naval Reserve. The record reflected efficiency ratings for the applicant ranging from "average" through "excellent".

This file contained a letter from the applicant's commanding officer directed to the applicant dated April 6, 1945, which stated in part:

"You were appointed officer in charge of six groups of officers and men to embark on the USS Cleveland for a sight-seeing trip to Manila, Philippine Islands. One of these groups was under your direct supervision. In addition, detailed instructions concerning the conduct of the personnel in the groups were furnished you prior to departure from this ship, and supplementary instructions were given you on the USS Cleveland. Notwithstanding the information you received, certain members of the sight-seeing party flagrantly violated the orders governing their conduct to the extent that it was necessary for the commanding officer, USS Cleveland, to inform me officially of the incidents which do not reflect creditably on this ship. To aggravate the situation, all of the offenders were from the group of which you were in charge. I consider your inattention and failure to set an example of seamanlike performance of duty, inexcusable. Because of the above, you are hereby suspended from duty for a period of ten days. During this period of suspension, you will confine yourself to the limits of this ship, exclusive of the quarter-deck and bridges."

The applicant's file contained no further derogatory information.

EDUCATION

Miss ROSEMARY WOODS, Clerk, School of Advanced International Studies, 1906 Florida Avenue, Northwest, advised by reference to the files of that institution, that BERNARD FENSTERWALD, JR. attended the spring session of that school at Washington, D. C., from January to June of 1946, and that he subsequently attended the summer sessions of 1947 and 1949 at Peterboro, New Hampshire. She stated that the applicant had completed the curriculum and had passed the final examination on August 18, 1949, and that he will receive a Master of Arts Degree in International Affairs at the next graduation ceremony of the school in June of 1950. She stated that all of the applicant's former teachers are now on vacation and will not be available for interview until October 1, 1949. Miss WOODS further advised that the record reflected the applicant's address as 1365 Geranium Street Northwest.

1365 GERANIUM STREET NORTHWEST

Mrs. CHARLES BURNHAM, 1365 Geranium Street Northwest, advised that her husband, who is now deceased, formerly had rented the house at that address to a group of four or five young men in 1946. She stated that the applicant's name was not familiar to her, but that her husband had probably known him. She said that the only young man of this group with whom she was acquainted was JOSEPH F. HUBER, JR., whom she said is presently living in Maryland. Mrs. BURNHAM added that this group of young men had always proven to be good tenants, and that her husband had never received any complaints concerning the conduct of any of these boys who had formerly rented the house.

Mr. JOSEPH F. HUBER, JR., Hillmeade Road, Bradley Hills, Maryland, advised that he had formerly been one of a group of young men to rent the house at 1365 Geranium Street Northwest, and he recalled the applicant as having resided there, approximately from January to June 1946. He added that he had only resided there for about two months while the applicant had been there, and that he recalled Mr. FENSTERWALD as a young man of excellent character and reputation. He said that during his limited contact with the applicant, he had never had reason to doubt Mr. FENSTERWALD's loyalty to the government in any way. Mr. HUBER recommended the applicant for responsible employment with the government. Mr. HUBER added that he did not know the present location of the other young men who formerly resided at 1365 Geranium Street Northwest.

MISCELLANEOUS

The files of the following agencies were searched regarding the applicant with negative results: Office of Naval Intelligence, House Committee on Un-American Activities, ~~confidential~~ investigative files of the Civil Service Commission, criminal records of the Metropolitan Police Department, credit records of the Credit Bureau and Stone's Mercantile Agency.

The Bureau advised that a search of the central files of the Federal Bureau of Investigation has been made and no information of a derogatory nature concerning loyalty, which could be identified with the applicant, was found.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

CC-150

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

SEPTEMBER 7, 1949 URGENT

To: COMMUNICATIONS SECTION.

SAC BOSTON

Transmit the following message to:

BERNARD FENSTERWALD, JR., DAPLI. URFILE SEVENTY-SEVEN DASH THREE NINE FIVE ONE. INFO FURNISHED BY REFERENCE WALDAUER INDICATES ADMITTED MASS. BAR. VERIFY AND SURSP IMMEDIATELY.

HOOVER

CAM:SMY
77-44206

ALL INFORMATION CONTAINED
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DATE 8/5/94 BY 5668 SLD/dmj

RECEIVED
SEP 7 1949
FBI

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77-44206-4

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Hendon
Mr. Pennington
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

SEP 7 1949

P 271949

TELETYPE

SENT VIA 4:22 P M Per

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

SEP 7 1949

TELETYPE

BOSTON 2 FROM WASH DC 7 402PM

SAC U R G E N T

BERNARD FENSTERWALD, JR., DAPLI. URFILE SEVENTY-SEVN DASH THREE NINE FIVE ONE. INFO FURNISHED BY REFERENCE WALDAUER INDICATES ADMITED MASS. BAR. VERIFY AND SUREP MXXX IMMEDIATELY.

HOOVER

L ONE ONE WORD SIX SHLD BE "SEVENTY-SEVEN"

HOLD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

WMM 3-1

WASHINGTON FIELD FROM BOSTON 8-23-49 10-30 AM EDT MBM

SAC, WASHINGTON FIELD URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION. REBUTEL AUGUST EIGHTEEN. ALL RECORDS SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, FORWARDED TO THAT SCHOOL'S MAIN OFFICE, FLORIDA [redacted], N.W., WASHINGTON, D. C., AUGUST NINETEEN, NINETEEN FORTYNINE. HANDLE.

SOUCY

77-3951
DFO:MBM
cc Bureau

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 56d8 SD/dmj

77-44206

56 SEP 26 1949

cc: Mr. Rosen
Mr. [redacted]lan
Mr. [redacted]man

Mr. Peyton Ford
The Assistant to the Attorney General

August 30, 1949

Director, FBI

BERNARD FENSTERWALD, JR.
DEPARTMENTAL APPLICANT
Antitrust Division

77-44206-5

RECORDED - 4

With reference to your memorandum dated August 16, 1949, requesting that an investigation be conducted concerning Bernard Fensterwald, Jr., the following information has been received from the Memphis Division of this Bureau:

"Neighbors and associates of Mr. Fensterwald advise that he is of excellent reputation and character; a loyal citizen, capable, and trustworthy. His mother is Mrs. Blanche Fensterwald, and he has a sister, Mrs. Robert Daniel Eisenstein, nee Ann Fensterwald. This sister formerly resided, and his mother now resides on Clarendon Avenue, Belle Meade, Nashville, Tennessee. Confidential Informant T-1, of known reliability, advised that the names of Mrs. B. Fensterwald and Ann Fensterwald, both of Belle Meade Park, Nashville, Tenn., appear on a list of delegates and members to the Southern Conference for Human Welfare, the third meeting, which was held on April 19 through 21, 1942, at Nashville, Tennessee. To date there has not been received any evidence to conclusively establish that his mother and sister are identical with the Mrs. B. Fensterwald and Ann Fensterwald listed as members of the Southern Conference for Human Welfare. All persons contacted who know his mother and sister state they are entirely loyal and very patriotic. Both are active in civic and charitable work.

Mr. Fensterwald's credit record is excellent and he has no criminal record. His birth was verified as August 2, 1921 at Nashville, Tennessee. His school records reflect excellent grades. However, he failed the Tennessee Bar examination taken last June and has not been admitted to the Bar. There is no derogatory information concerning character or loyalty in Bar Association files. Reference Abe D. Waldauer of Memphis, Tennessee, who is related to him is not available for interview."

The following information has also been received from the Boston Division of this Bureau:

"Mr. Fensterwald, Jr. graduated from Harvard College, Cambridge, Massachusetts in 1942 with BS Degree Magna Cum Laude and from the Harvard Law School with an LL. B. Degree in 1949. His record while at school was favorable. Reference Louis Sohn, lecturer at Harvard Law School was interviewed and recommended him favorably. References, Abe D. Waldauer and Milton J. Shaw, both recommend him as loyal American of excellent reputation and character and consider him unusually intelligent and ambitious."

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/74 BY 5068 SID/dmj

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. [redacted]
Mr. [redacted]
Mr. Quinn [redacted]
Tele. Room
Mr. Nease
Miss Gandy

UNRECORDED COPY FILED IN

77-44206
JAL:KMC

Mr. Peyton Ford
The Assistant to the Attorney General

The following information has also been received from the Washington Field Division of this Bureau:

"Mr. Fensterwald attended the School of Advanced International Studies, from January to June of 1946; also the summer sessions of 1947 and 1949. He completed the curriculum for an MA Degree in International Affairs. He was appointed an Ensign, United States Naval Reserve, on April 3, 1942; reported for active duty on September 18, 1942 and was detached from active duty on March 1, 1946 in the District of Columbia and ordered home. He was released from active duty on May 1, 1946. His efficiency ratings were given as average through excellent. He received a ten day suspension from duty on April 6, 1945, when a group of officers and men under his charge violated orders governing their conduct while sight seeing in the Philippine Islands. The Office of Naval Intelligence Records contain no derogatory information concerning him nor do the records of the Civil Service Commission, nor the House Committee on Un-American Activities. He has no criminal or credit record in Washington, D.C."

The investigation has been completed and you will be furnished with copies of detailed reports as they are received.

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Gandy

4643

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Hogan
Tele. Room
Mr. Nease
Miss Gandy

FBI MEMPHIS 8-25-49 4-25 PM PB

DIRECTOR, FBI URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION.

NEIGHBORS AND ASSOCIATES OF ~~APPLICANT~~ HIM AND HIS FAMILY ADVISE THAT HE IS OF EXCELLENT REPUTATION AND CHARACTER; A LOYAL CITIZEN, CAPABLE, AND TRUSTWORTHY. ~~APPLICANTS~~ HIS MOTHER IS MRS. BLANCHE FENSTERWALD, AND HE HAS A SISTER, MRS. ROBERT DANIEL EISENSTEIN, NEE ANN FENSTERWALD. HIS SISTER FORMERLY RESIDED, AND HIS MOTHER NOW RESIDES ON CLARENDON AVENUE, BELLE MEADE, NASHVILLE, TENN. CONFIDENTIAL INFORMANT T-ONE, OF KNOWN RELIABILITY, ADVISED THAT THE NAMES OF MRS. B. FENSTERWALD AND ANN FENSTERWALD, BOTH OF BELLE MEADE PARK, NASHVILLE, TENN., APPEAR ON A LIST OF DELEGATES AND MEMBERS ~~OF~~ TO THE SOUTHERN CONFERENCE FOR HUMAN WELFARE, ~~AT~~ THE THIRD MEETING, [illegible] APRIL NINETEEN THROUGH TWENTYONE, NINETEEN FORTYTWO, AT NASHVILLE, TENN. TO DATE THERE HAS NOT BEEN RECEIVED ~~NO~~ ANY EVIDENCE TO CONCLUSIVELY ESTABLISH THAT ~~APPLICANTS~~ HIS MOTHER AND SISTER ARE IDENTICAL WITH THE MRS. B. FENSTERWALD AND

77-44206-5

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED 8/5/94 566B SLD/dmj

RECORDED INDEXED - 4

8/31/49

PAGE TWO

ANN FENSTERWALD LISTED IN THE ABOVE CONNECTION WITH THE SOUTHERN CONFERENCE FOR HUMAN WELFARE. ALL PERSONS CONTACTED WHO KNOW APPLICANTS MOTHER AND SISTER STATE THEY ARE ENTIRELY LOYAL AND VERY PATRIOTIC. BOTH ARE ACTIVE IN CIVIC AND CHARITABLE WORK. APPLICANTS CREDIT RECORD IS EXCELLENT, CRIMINAL RECORD NEGATIVE. BIRTH VERIFIED AS AUGUST TWO, TWENTYONE, NASHVILLE, TENN. SCHOOL RECORDS REFLECT EXCELLENT GRADES. APPLICANT FAILED TENN. BAR EXAMINATION TAKEN JUNE LAST AND NOT ADMITTED TO BAR. NO DEROGATORY INFORMATION ABOUT CHARACTER OR LOYALTY OF APPLICANT IN BAR FILES. REFERENCE ABE D. WALDAUER, MEMPHIS, TENN. WHO IS RELATED TO APPLICANT, NOT AVAILABLE FOR INTERVIEW. LEAD SET. APPLICANT MARRIED TO BETTY VOSBERRY OF WASHINGTON, D.C., UNKNOWN DATE. REPORT FOLLOWS.

HOSTETTER

END

632PM OK FBI WASH DC CCW

V

AUGUST 25, 1949

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr.
Tele. Room
Mr. Nease
Miss Gandy

4643

FBI WASH FIELD 8-25-49 8 PM

DIRECTOR

BERNARD FENSTERWALD, JR., ANTITRUST DIVISION, REBUFILE SEVENTYSEVEN DASH FOUR FOUR TWO ZERO SIX. REBUTEL AUGUST EIGHTEEN LAST. APPLICANT ATTENDED SCHOOL OF ADVANCED INTERNATIONAL STUDIES, D.C., JANUARY TO JUNE OF 19 FORTYSIX; ALSO SUMMER SESSIONS OF FORTYSEVEN AND FORTYNINE, PETERBORO, NH. COMPLETED CURRICULUM FOR MA DEGREE IN INTERNATIONAL AFFAIRS. APPOINTED ENSIGN, USNR, APRIL THREE, FORTYTWO; REPORTED ACTIVE DUTY SEPTEMBER EIGHTEEN, 19 FORTYTWO; DETACHED FROM ACTIVE DUTY MARCH ONE, FORTYSIX AT DC AND ORDERED HOME; RELEASED FROM ACTIVE DUTY MAY ONE, FORTYSIX. EFFICIENCY RATINGS AVERAGE THROUGH EXCELLENT. RECEIVED TEN DAY SUSPENSION FROM DUTY ON APRIL SIX, FORTYFIVE, WHEN GROUP OF OFFICERS AND MEN UNDER HIS CHARGE VIOLATED ORDERS GOVERNING THEIR CONDUCT WHILE SIGHT SEEING IN PHILIPPINE ISLANDS. FORMER ACQUAINTANCE RECOMMENDS APPLICANT. ONI RECORDS CONTAIN NO DEROGATORY INFORMATION. CSC, HCUA, ~~CRIMINAL, CREDIT NEGATIVE~~. REPORT FOLLOWS.

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DATE 8/6/94 BY 5068 SUD/anj

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77-44206-6

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26 SEP 27 1949

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-12-2015
D27B81S81

~~CONFIDENTIAL~~ Tickler: Liaison Section
Mr. Furyk

~~CLASSIFIED DECISIONS FINALIZED BY DEPARTMENTAL REVIEW COMMITTEE ON~~ DATE: ~~8/23/94~~ 5668 Sudamac

BY COURIER SERVICE

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

Date: February 28, 1956 (C) (U)

To: Mr. Dennis A. Flinn
Director
Office of Security
Department of State
515 22nd Street, N. W.
Washington, D. C.

(orig & 1) CLASSIFIED BY 10/1/79 EXTR... REA... FOR... DATE... DECLASSIFICATION... 10/1/85 SP/1 CSK (C)

~~8/3/94 5668 Sudamac~~ CA # 94-0655HHG

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: BERNARD PENSTERWALD, JR.
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE) (C) 4

A confidential source, who has furnished reliable information in the past, advised on February 21, 1956, that

[redacted] (C)

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[redacted]

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[redacted] (C) (U)

The above is furnished as a matter of interest to you and in view of the delicate nature of our source, it is requested that no further dissemination be made of this information without prior reference to this Bureau.

77-44206

cc - 1 - AAG William P. Tompkins, routing slip 06, same date.

NOT RECORDED
14 FEB 29 1956

(C) 4

cc - 1 - 77-44206 (C)

NOTE: Source is a highly confidential source of WFO. Pensterwald was investigated as departmental applicant, Anti-Trust Div. in 1949. Bufiles contain no ~~CONFIDENTIAL~~ derogatory data re subject. (C) U

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
Sizoo
Winterrowd
Tele. Room
Holloman
Gandy

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF

ORIGINAL FILED IN

8/5/94 5668SDdmj

WASHINGTON FROM BOSTON 1 26 12-29 AM

DIRECTOR URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION. REBUTEL AUGUST EIGHTEEN LAST. APPLICANT GRADUATED HARVARD COLLEGE, CAMBRIDGE, MASS., FORTYTWO, BS, MAGNA CUM LAUDE, HARVARD LAW SCHOOL, LLB, FORTYNINE. INVESTIGATION FAVORABLE. REFERENCE LOUIS SOHN, LECTURER AT HARVARD LAW SCHOOL, INTERVIEWED WITH FAVORABLE RESULTS. NEIGHBORHOOD FAVORABLE. REFERENCE, ABE D. WALDAUER AND MILTON J. STARR, BOTH RECOMMEND APPLICANT AS LOYAL AMERICAN OF EXCELLENT REPUTATION AND CHARACTER AND CONSIDER HIM UNUSUALLY INTELLIGENT AND AMBITIOUS. REPORT FOLLOWS.

77-44206

SOUCY

EX-15

END

FBI MEMPHIS 8-19-49 6-25 PM AG

DIRECTOR, SACS WASHINGTON FIELD AND BOSTON

BERNARD FENSTERWALD, JR., ANTI TRUST DIVISION. REFERENCES ABE D. WALDAUER, MEMPHIS ATTONEY, PRESENTLY LOCATED SPRINGER COTTAGE, WEST YARMOUTH, MASS., CARE OF MILTON J. STARR, ALSO A REFERENCE. BOSTON INTERVIEW WALDAUER AND STARR, A WASHINGTON, D. C. RESIDENT. SUTEL BUREAU BY AUGUST TWENTYFIVE. SUREP AUGUST TWENTYNINE.

HOSTETTER EX-15 RECORDED 100 77-44206-8

AK IN ORDER PLS

WA CORRECTION NAME IN LINE FOUR WORD FIVE IS "STARR"

WA 8-28 PM OK FBI WASH DC ED

BS OK FBI BS JWT TWO COPIES WFO 8/5/94 5668 SLD/dmj

DIC

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

BS FILE NO. 77-3951-jah

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
BOSTON, MASS.	9/12/49	9/9/49	DON R. ROSE

TITLE	CHARACTER OF CASE
BERNARD FENSTERWALD	DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Records, Office of Clerk of Supreme Judicial Court of Mass. reflect Applicant passed Mass. Bar examination on 7/1/49 and scheduled to take oath and be admitted to practice on 9/27/49.

- R U C -

REFERENCE: Bureau teletype dated September 7, 1949.

DETAILS: Miss CHARLOTTE SNYDER, secretary, Mass. Bar Examiners Office, 73 Tremont Street, Boston, Massachusetts, advised that according to the records of that office Applicant filed a petition for examination and admission to the Massachusetts Bar in Superior Court, Suffolk County, subsequently passed the Massachusetts Bar examination on July 1, 1949 and is scheduled to take this oath and to be admitted to practice on September 27, 1949, at which time he will become a member of the Massachusetts Bar.

Miss ANNA MURRAY, Office of Clerk of Supreme Judicial Court of Massachusetts, Boston, Massachusetts, advised that the records of that office reflect Applicant to be recommended for admission to the Massachusetts Bar on September 27, 1949.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

AGENCY Boston - ASD
REQ. REC'D 9-22-49
REP'T FORW. 9-26-49
BY

8/5/94 5668 SD/dmj

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

FILE NO. 77-882

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
MEMPHIS, TENNESSEE	8/26/49	8/18,19,23,24/49.	FRANCIS J. NORWOOD ABK

TITLE	CHARACTER OF CASE
BERNARD FENSTERWALD, JR., aka Bud Fensterwald	DEPARTMENTAL APPLICANT ANTITRUST DIVISION

SYNOPSIS OF FACTS:

Birth verified as 8-2-21, Nashville, Tenn. High School records reflect excellent grades. Applicant failed Tennessee Bar examination taken June, 1949, and not admitted to bar. No derogatory information about character or loyalty of applicant in bar files. Reference ABE D. WALDAUER related to applicant, not available at Memphis for interview. Applicant married to BETTY VOSBERRY of Washington, D.C., date unknown. Neighbors and associates of applicant and family advise he is of excellent reputation and character, a loyal citizen, capable and trustworthy. Applicant's mother is Mrs. BLANCHE FENSTERWALD and he has a sister, Mrs. ROBERT DANIEL EISENSTEIN, nee ANN FENSTERWALD. Sister formerly resided and mother now resides on Clarendon Avenue, Belle Meade, Nashville, Tenn. Confidential Informant T-1 of known reliability advised that names of Mrs. B. FENSTERWALD and ANN FENSTERWALD, both of Belle Meade Park, Nashville, Tennessee, appear on a list of delegates and members of the Southern Conference for Human Welfare at the third meeting, April 19 through 21, 1942, at Nashville, Tenn. No information received to date to conclusively establish that applicant's mother and sister are identical with the Mrs. B. FENSTERWALD and ANN FENSTERWALD listed as delegates to the Southern Conference for Human Welfare. All persons contacted who know applicant's mother and sister state they are entirely loyal and very patriotic. Both are active in civic and charitable work. Applicant's credit record is excellent; criminal record negative, Nashville, Tenn.

- RUC -

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
D.A. Hollaway/mw		77-44206-11

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1 - Memphis

8/5/44 5668SD/dmj

SEE REVERSE SIDE FOR ADD. DISSEMINATION.

U. S. GOVERNMENT PRINTING OFFICE 7—2034

ME #77-882

REFERENCE: Bureau teletype to Memphis 8-13-49.

DETAILS: BIRTH

Miss Annette Chandler, Division of Vital Statistics, Tennessee Department of Public Health, Nashville, Tennessee, advised from records that applicant was born on August 2, 1921, in Nashville, Davidson County, Tennessee. His father was given as BERNARD FENSTERWALD and his mother as BLANCHE LINDAUER.

EDUCATION

Mr. MARVIN T. DUNCAN, Duncan School, 401 25th Avenue South, Nashville, Tennessee, advised that the applicant attended that school for five years and that his grades were excellent, being in the high nineties for the entire time. He stated that the applicant is industrious and capable and has a very retentive mind. He also advised that he has known the family for years and they are outstanding people, loyal and patriotic. The applicant graduated from the Duncan School in 1938 and entered Harvard the following year.

EMPLOYMENT

CHARLES L. NEELY, secretary of the Tennessee Bar Association and a member of the Board of Bar Examiners for the State of Tennessee, Columbian Mutual Tower, Memphis, Tennessee, advised that applicant did not pass the Tennessee Bar examination afforded him in June, 1949, and, therefore, has not been admitted to the Tennessee Bar. He stated that applicant's grades were not far below passing and that his lowest grade was in Tennessee law.

NEELY said that he has no information of a derogatory nature as to applicant's character or loyalty in his files. He added that the Bar Committee at Nashville, Tennessee, found applicant to be of good moral character. A certificate in applicant's file in NEELY's office reflects that he received a LL.B. Degree at Harvard University June 23, 1949, and an S.B. Degree magna cum laude in Government June 11, 1942.

A letter from applicant to NEELY dated May 18, 1949, reflects his address as 7 Irving Terrace, Cambridge, Massachusetts, and stated that after June 1, 1949, his address would be Clarendon Avenue, Belle Meade, Nashville, Tennessee.

On FENSTERWALD's Application for Admission to the Bar upon Examination, executed May 7, 1949, he listed his date of birth as August 2, 1921, Nashville, Tennessee, and stated that his parents are BERNARD FENSTERWALD, SR., of Burk and Company, Church Street, Nashville, Tennessee, and BLANCHE LINDAUER FENSTERWALD, Clarendon Avenue, Nashville, Tennessee. He listed as references in this Bar Application DAN MAY, manufacturer, Fairmont Drive, LAWRENCE GOODMAN, musician,

Woodmont Boulevard, Dr. SAMUEL S. RIVEN, 4009 Aberdeen Road, Mrs. LUKE LEA, 3700 Whitland Avenue, all of Nashville, Tennessee, and ABE D. WALDAUER, Memphis, Tennessee.

REFERENCE

At the office of ABE D. WALDAUER, Commerce Title Building, Memphis, Tennessee, it was ascertained that WALDAUER will be at West Yarmouth, Massachusetts, in care of MILTON J. STARR, Springer Cottage, until September 1, 1949.

HARRY U. SCRUGGS, State Senator and law partner of WALDAUER, voluntarily advised that he has known applicant about three years but has not been closely associated with him, having met applicant through WALDAUER, who is related to applicant through marriage. SCRUGGS said from the few times he has talked to applicant and from comments about applicant by WALDAUER and persons whose judgment he respects at Nashville, Tennessee, he, SCRUGGS, has concluded that applicant is of good moral character, well rounded and loyal. He stated that his opinion was based primarily on hearsay rather than on personal knowledge. He does not know applicant's family and has no knowledge or information concerning applicant's legal ability.

NEIGHBORHOOD

Mrs. RICHARD BURR, JR., Sutherland and Clarendon Avenues; Mr. MARION SMITH, Clarendon Avenue; and Mr. ROBERT LUSK, Clarendon Avenue, all Nashville, Tennessee, advised that they were acquainted with the applicant and his family as neighbors. They advised that the applicant has not been at home much since the family has lived on Clarendon Avenue, as he has been away in armed service and at school. They stated that they consider him of excellent reputation and character. They each advised that they had no reason to doubt his loyalty and that they considered him a very patriotic citizen. Each of them stated the applicant has a good mind and is apparently capable of handling any work in his field.

These neighbors stated that the applicant's family is one of the oldest and most substantial families in Nashville, Tennessee. The FENSTERWALDS have always been leaders in the community and active workers in civic and charitable affairs. They stated that they have no reason to believe that any of them are disloyal and, on the contrary, they consider them highly patriotic.

ASSOCIATES

Confidential Informant T-1 of known reliability has advised that the names of Mrs. B. FENSTERWALD and ANN FENSTERWALD, both of Belle Meade Park, Nashville, Tennessee, appear on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting on April 19 through 21, 1942, at Nashville, Tennessee.

ME #77-882

Mr. DAN MAY, May Hosiery Mill, Nashville, Tennessee; Dr. SAMUEL S. RIVEN, Bennie Dillon Building, Nashville, Tennessee; and Mrs. LUKE LEA, 3700 Whitland Avenue, Nashville, Tennessee, associates of the applicant and his family, all advised that the applicant, who is generally called "BUD" FENSTERWALD, is industrious, capable, trustworthy, loyal, patriotic, and intelligent. They pointed out that he was always good at his school work and had applied himself to his studies. He went to great trouble to get in the Navy in World War II in spite of a bad eye which might have kept him out, according to these associates. They advised that he had turned down a chance to go into his father's business, which is one of the most substantial clothing stores for men in Nashville, Tennessee, in order that he might follow his chosen profession of law.

These associates stated that his family consists of his father, BERNARD FENSTERWALD, SR., his mother, whose maiden name was BLANCHE LINDAUER, his sister, ANN, who is now Mrs. ROBERT DANIEL EISENSTEIN, and his wife, who was formerly BETTY VOSBERRY of Washington, D. C. They have lived in Belle Meade, a suburban residential district of Nashville, Tennessee, for years and are quite prominent in civic affairs. The applicant's father is on the Board of Trustees of Vanderbilt University, the Board of Governors for Vanderbilt Hospital, the Board of Directors for Fisk University, a leading member of the Nashville Chamber of Commerce, and has been an active participant in nearly all charitable undertakings in Nashville, Tennessee, until poor health in recent years has forced him to retire, to a certain extent. His mother has been one of the leaders in the Nashville community agencies, on the Board of the Community Chest and an active Red Cross worker. His sister has been active in charitable work and prominent in social affairs in Nashville.

All the associates state that they consider the applicant's family loyal and that they have never known of them having membership in any organization which might be considered even slightly subversive or un-American. They could give little information on applicant's brother-in-law, ROBERT DANIEL EISENSTEIN, who is originally from Iowa, or applicant's wife, BETTY VOSBERRY, who is the daughter of a retired naval officer and who lived in Washington, D. C. They stated that applicant's wife was a Lieutenant in the Navy.

Confidential Informant T-2, who is reliable and who is acquainted with the applicant and his family, knew quite a bit about the activities of the Southern Conference of Human Welfare when it was in Nashville, Tennessee. He stated that he did not recall the applicant's mother or sister, ANN FENSTERWALD, being active in the Southern Conference of Human Welfare or even being associated with it. He stated that it was quite possible that they were contributors and that they attended the meeting held in August of 1942. He pointed out that many leading citizens of Nashville, Tennessee, had been approached by the Southern Conference of Human Welfare for donations and sponsorship. At the time they were given to understand that it was a semi-religious organization set up to give aid to the negro race. He stated that it was logical that the FENSTERWALDS would be approached and they may have contributed, as they have been leaders in charitable

work, and BERNARD FENSTERWALD, SR., is one of the Board of Directors of Fisk University, a negro university in Nashville, Tennessee. He pointed out that at the particular meeting, in August of 1942, Mrs. ELEANOR ROOSEVELT was the guest speaker and many people attended for that one reason alone. He stated that the applicant and his family bear an excellent reputation in Nashville, Tennessee, and that he believes there is absolutely no reason to question his loyalty or the loyalty of any member of the family. He stated that the applicant is capable and trustworthy.

CREDIT

Miss ANNA VARLEY, Nashville Retail Credit Association, Nashville, Tennessee, advised that the applicant has an excellent credit rating. She stated that there was no derogatory information in their records.

CRIMINAL

The records of the Nashville Police Department, the Sheriff's Office of Davidson County, and the Clerk of Criminal Court of Davidson County, Nashville, Tennessee, reflect no criminal record for the applicant or any of his family.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

ME 77-882

INFORMANT PAGE

Confidential Informant T-1 is being identified in a separate letter to the Bureau.

Confidential Informant T-2 is [redacted], who requested that his name be kept confidential due to the nature of the information furnished and his close association with the family. b7D

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: August 26, 1949

FROM : SAC, Memphis [redacted]

SUBJECT: BERNARD FENSTERWALD, aka
Bud Fensterwald
DEPARTMENTAL APPLICANT
ANTITRUST DIVISION

Reference is made to the report of SA FRANCIS W. NORWOOD dated August 26, 1949, at Memphis, referring to information furnished by Confidential Informant T-1.

The information attributed to T-1 appears on pages 7 and 11 of the report of SA JOHN L. ROBERTS dated November 4, 1942, at Memphis, Tennessee, entitled "SOUTHERN CONFERENCE FOR HUMAN WELFARE, INTERNAL SECURITY - R," apparently reflecting the result of a highly confidential investigative technique.

GAE:abk
77-882

77-44206-10X

RECORDED - 111

23 SEP 14 1949

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5068 SLD/dmy

JAN 13 1950

JAMES O. EASTLAND, MISS., CHAIRMAN
ESTES KEFAUVER, TENN.
OLIN D. JOHNSTON, S.C.
THOMAS C. HENNINGS, JR., MO.
JOHN L. MC CLELLAN, ARK.
JOSEPH C. O'MAHONEY, WYO.
SAM J. ERVIN, JR., N.C.
JOHN A. CARROLL, COLO.
THOMAS J. DODD, CONN.
PHILIP A. HART, MICH.
ALEXANDER WILEY, WIS.
WILLIAM LANGER, N. DAK.
EVERETT MC KINLEY DIRKSEN, ILL.
ROMAN L. HRUSKA, NEBR.
KENNETH B. KEATING, N.Y.

United States Senate

COMMITTEE ON THE JUDICIARY

Mr. Tolson
Mr. Belmont
Mr. DeLoach
Mr. McGuire
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C.Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

February 18, 1959

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Hoover:

Pursuant to Committee Resolution adopted at its organization meeting of January 26, 1959, I am submitting herewith the name of Bernard Fensterwald, Jr.*, counsel of the Subcommittee on Constitutional Amendments, together with standard Form 57, United States Civil Service Commission, for the purpose of providing information to assist the investigation.

It will be appreciated if you will forward to me, as Chairman of the Committee on the Judiciary, a report on Mr. Fensterwald when the investigation has been completed.

With kindest regards, I am

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 9668 SD/dmj

Sincerely yours,

James O. Eastland
Chairman

* Presently Administrative Assistant To Senator Hennings.

JOE:mc
encl

1 ENCLOSURE

REC-44 77-44206-11

FEB 25 1959

EX-102

66 APR 9 1959

FEB 19 1959

ARD FORM 57
MAY 1954
L SERVICE COMMISSION

PLICATION FOR FEDERAL EMPLOYMENT

APPLICATION NO.

ANNOUNCEMENT

1. Kind of position applied for or name of examination
Counsel, Senate Subcommittee on Constitutional Amendments

2. Option(s) *(if mentioned in examination announcement)*

3. Place of employment applied for *(city and State)*
Washington, D.C.

4. *(First name) (Middle) (Maiden, if any) (Last)*
Mr. Mr. Bernard Fensterwald, Jr.
Mrs.
Miss

5. Street and number or R. D. number
851 N. Lexington St.

City or post office *(including postal zone)* and State
Arlington, Va.

6. Place of birth
City Nashville, Tenn.

State or foreign country

7. Date of birth *(month, day, year)*
Aug. 2, 1921

8.
☒ Male
☐ Female

9. Height without shoes
5 feet 7 inches
Weight 135 pounds

10.
☒ Married
☐ Single

DO NOT WRITE IN THIS BLOCK
For Use of Civil Service Commission Only

☐ Appor. ☐ Nonappor.	Material ☐ Submitted ☐ Returned	Entered Register:
Notations:	App. Review: Approved:	

Option	Grade	Earned Rating	Preference	Augm. Rating
			☐ 5 Points (Tent.)	
			☐ 10 Point Comp. Dis.	
			☐ Other 10 Point	
			☐ Disal.	
			☐ Being Investigated	
Initials and Date				

11. Home phone
JA 2-0949

Office phone
Di 7-8220

12. Legal or voting residence *(State)*
Virginia

13. If you have ever been employed by the Federal Government, indicate last grade
Admin. Asst. To U.S. Senator (no grade)
Dates of service in that grade
From Jan. 1957 To Jan. 1959

14. AVAILABILITY INFORMATION. A. Indicate the lowest salary you will accept $ per
You will not be considered for any position with a lower entrance salary.

B. If you are now a Federal employee, indicate the lowest grade you will accept

C. Will you accept appointment for ☐ 1 to 3 months? ☐ 3 to 6 months? ☐ 6 to 12 months?
Acceptance or refusal of a short-term appointment will not affect your consideration for another appointment.

D. Are you willing to travel ☐ Occasionally? ☐ Frequently? ☐ Constantly?

E. Will you accept appointment ☐ In Washington, D. C.? ☐ Anywhere in United States? ☐ Outside U. S.?

F. If you will accept appointment only in certain locations, list them:

15. VETERAN PREFERENCE. A. If you claim 5-point preference based on wartime military service, indicate:

Date(s) of entry into active service	Date(s) of separation	Branch of service *(Army, Navy, Air Force, etc.)*	Serial number. If none, give grade or rating at separation
Sept 1942	May 1946	Navy	142274

B. Do you claim 5-point preference as a peacetime campaign veteran? ☐ Yes ☒ No

C. Do you claim 10-point preference? ☐ Yes ☒ No

D. Have you ever been granted 10-point veteran preference or 5-point preference as a peacetime campaign veteran by the U. S. Civil Service Commission? ☐ Yes ☒ No If so, indicate below the office which granted this preference to you. Attach your notice of preference allowance if available. It will be returned to you.

Name of U. S. Civil Service Commission office or name of Board of U. S. Civil Service Examiners

Address of Commission office or Board of Examiners
City
State

THIS SPACE FOR USE OF APPOINTING OFFICER ONLY. The information contained in answer to question 15A has been verified with the discharge certificate, which shows that the separation was under honorable conditions.

Signature

Agency

Title

Date

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/amy

77-44206-11

16

(Continued on next page)

ENCLOSURE

16—53946-3

16. EXPERIENCE. *(Start with your present position and work back)*

① Dates of employment *(month, year)* From January, 1957 To present time

Exact title of your position Admin. Assistant to U.S. Senator Thomas C. Hennings, Jr.

Salary or earnings
Starting $ per
Final $ per

Classification Grade *(if in Federal service)*

Place of employment
City Washington, D.C.
State

Kind of business or organization *(manufacturing, accounting, insurance, etc.)*

Name and address of employer *(firm, organization, etc.)* U.S. Senator Thomas C. Hennings, Jr.

Name and title of immediate supervisor

Reason for wanting to leave Desired Committee work.

Description of work General administrative, legislative, and legal duties.

② Dates of employment *(month, year)* From July, 1950 To Sept, 1956

Exact title of your position Assistant to the Legal Adviser

Salary or earnings
Starting $ 3800.00 per
Final $ 8500.00 per

Classification Grade *(if in Federal service)* GS 11 or 12

Place of employment
City Washington D.C.
State

Kind of business or organization *(manufacturing, accounting, insurance, etc.)*

Name and address of employer *(firm, organization, etc.)* U. S. Department of State

Name and title of immediate supervisor Mr. Leonard C. Meeker, Asst. Legal adviser

Reason for leaving Wished to actively engage in 1956 political campaign

Description of work General legal duties, with emphasis on international law and problems concerning the United Nations.

③ Dates of employment *(month, year)* From To

Exact title of your position

Salary or earnings
Starting $ per
Final $ per

Classification Grade *(if in Federal service)*

Place of employment
City
State

Kind of business or organization *(manufacturing, accounting, insurance, etc.)*

Name and address of employer *(firm, organization, etc.)*

Name and title of immediate supervisor

Reason for leaving

Description of work

16—53946-3

ATTACH SUPPLEMENTAL SHEETS OR FORMS HERE

Dates of employment *(month, year)* From / To	Exact title of your position		
Salary or earnings Starting $ per Final $ per	Classification Grade *(if in Federal service)*	Place of employment City State	Kind of business or organization *(manufacturing, accounting, insurance, etc.)*
Name and address of employer *(firm, organization, etc.)*		Name and title of immediate supervisor	
Reason for leaving			
Description of work			

If you need additional experience blocks, use supplemental sheets. SEE INSTRUCTION SHEET.

17. SPECIAL QUALIFICATIONS AND SKILLS.

(A) Licenses and Certificates.—Indicate the kind of license or certificate and the State or other licensing authority which granted it; for example, pilot, teacher, electrician, lawyer, radio operator, C. P. A., etc.

Kind of License: lawyer — Licensing Authority: Mass.& D.C.

(B) List any special skills you possess and machines and equipment you can use, such as short-wave radio, multilith, comptometer, key-punch, turret lathe, scientific or professional devices.

(C) Approximate number of words per minute in:

Typing _____ Shorthand _____

(D) Give any special qualifications not covered elsewhere in your application, such as:

(1) Your more important publications. *(Do not submit copies unless requested)*
(2) Your patents or inventions.
(3) Public speaking and public relations experience.
(4) Membership in professional or scientific societies, etc.
(5) Honors and fellowships received.

18. EDUCATION.

A. Give the highest elementary or high-school grade completed: 12th

If you completed high school, give date: 1938

B. Name and location of last high school attended: Duncan Prep School, Nashville, Tenn.

C. Name and location of college or university:	Dates attended From	Dates attended To	Years completed Day	Years completed Night	Credit hours Semester or Quarter	Degrees received
Harvard College	1938	1942	4			BS
Harvard Law School	1946	1949	3			LLB
Sch. Advanced International Studies	1946	1950	1			MA
Cambridge (Eng) University	1954	1955	1½			none

D. Chief undergraduate college subjects	Credit hours Semester or Quarter	E. Chief graduate college subjects	Credit hours Semester or Quarter
Political science		law	

F. Other schools or training, such as trade, vocational, Armed Forces, or business. Give for each name and location of school, dates attended, subjects studied, certificates, and any other pertinent data:

19. Have you lived or traveled in any foreign countries?

☒ Yes ☐ No

If answer is "Yes," give in Item 34 names of countries, dates, and length of time spent there and reason or purpose *(military service, business, education, or vacation)*.

20. Indicate your knowledge of foreign languages.	Reading EXC.	Reading GOOD	Reading FAIR	Speaking EXC.	Speaking GOOD	Speaking FAIR	Underst'ng EXC.	Underst'ng GOOD	Underst'ng FAIR	Writing EXC.	Writing GOOD	Writing FAIR

16—53946-3

21. REFERENCES.—List three persons living in the United States or Territories of the United States who are NOT RELATED TO YOU AND WHO HAVE DEFINITE KNOWLEDGE of your qualifications and fitness for the position for which you are applying. Do not repeat names of supervisors listed under Item 16, EXPERIENCE.

FULL NAME	PRESENT BUSINESS OR HOME ADDRESS Give complete current address	BUSINESS OR OCCUPATION
1. Estes Kefauver	US Senate	US Senator
2. Mr. Adrian Fisher	Washington Post	lawyer
3. Mr. Herman Phleger	San Francisco, Calif.	lawyer

INDICATE ANSWER BY PLACING "X" IN PROPER COLUMN	YES	NO
22. (*a*) Are you a citizen of the United States of America, or (*b*) as a native of American Samoa do you owe allegiance to the United States of America?	✓	
23. Are you now, or have you ever been, a member of the Communist Party, U. S. A., or any Communist organization?		X
24. Are you now, or have you ever been, a member of a Fascist organization?		X
25. Are you now or have you ever been a member of any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means?		X
If your answer to question 23, 24, or 25 above is "Yes," state on a separate sheet to be attached to and made a part of this application the names of all such organizations, associations, movements, groups, or combination of persons and dates of membership. Give complete details of your activities therein and make any explanation you desire regarding your membership or activities. (See instruction sheet)		
26. Does the United States Government employ in a civilian capacity any relative of yours (by blood or marriage) with whom you live or have lived within the past 24 months? *If your answer is "Yes," give in Item 34 for EACH such relative (1) full name; (2) present address; (3) relationship; (4) department or agency by which employed; and (5) kind of appointment.*		X
27. A. Have you any physical handicap, chronic disease, or other disability?		X
B. Have you ever had a nervous breakdown?		X
C. Have you ever had tuberculosis?		X
If your answer to A, B, or C is "Yes," give details in Item 34.		

INDICATE ANSWER BY PLACING "X" IN PROPER COLUMN	YES	NO
28. May inquiry be made of your present employer regarding your character, qualifications, etc?	X	
29. Do you receive or have you applied for an annuity from the United States or District of Columbia Government under any retirement act or any pension or other compensation for military or naval service? *If your answer is "Yes," give details in Item 34.*		X
30. Are you an official or employee of any State, Territory, county, or municipality? *If your answer is "Yes," give details in Item 34.*		X
31. Have you ever been barred by the U. S. Civil Service Commission from taking examinations or accepting civil-service appointments? *If your answer is "Yes," give dates of and reasons for such debarment in Item 34.*		X
32. A. Have you ever been discharged from employment because: (1) Your conduct was not satisfactory?		X
(2) Your work was not satisfactory?		X
B. Have you ever resigned after official notification that: (1) Your conduct was not satisfactory?		X
(2) Your work was not satisfactory?		X
C. Have you ever been discharged from the Armed Services under other than honorable conditions?		X
If your answer to A, B, or C is "Yes," give details in Item 34 as clearly as you can remember, including the name and address of employer, approximate date, and reasons in each case.		
33. Have you ever been arrested, charged, or held by Federal, State, or other law-enforcement authorities for any violation of any Federal law, State law, county or municipal law, regulation or ordinance? Do not include anything that happened before your 16th birthday. Do not include traffic violations for which a fine of $25 or less was imposed. All other charges must be included even if they were dismissed. *If your answer is "Yes," give in Item 34 for each case: (1) approximate date, (2) charge, (3) place, (4) action taken.*		X

34. SPACE FOR DETAILED ANSWERS TO OTHER QUESTIONS. Indicate item numbers to which answers apply.

Item No.		Item No.	
	Traveled in many countries in most of world for both business + pleasure—		

If more space is required, use paper the same size as this page. Write on each sheet your name, date of birth, and examination title. Attach to inside of this application.

ATTENTION: If you are appointed, all facts you give will be subject to investigation including a check of your fingerprints. Before signing this application, go back over it to make sure you have answered all questions correctly and fully, so that your eligibility can be decided on the basis of all the facts. Admitted unfavorable information about such matters as arrests or discharges will be considered together with the favorable information in your record in determining your present fitness for Federal employment. However, a false statement or dishonest answer to any question may be grounds for cancellation of your application or your dismissal after appointment and is punishable by law.

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Feb 16, 1959

Signature of applicant Bernard Fensterwald Jr.

16—53946-8 U. S. GOVERNMENT PRINTING OFFICE

4-22 (Rev. 12-10-58)

Federal Bureau of [redacted]vestigation
Records Br[redacted]

2-20-59, 1959

- [ ] Name Check Unit - Room 6523
- [ ] Service Unit - Room 6524
- [ ] Forward to File Review
- [ ] Attention _____
- [x] Return to Tierney 4651
  Supervisor Room Ext.

Type of References Requested:

- [ ] Regular Request (Analytical Search)
- [ ] All References (Subversive & Nonsubversive)
- [ ] Subversive References Only
- [ ] Nonsubversive References Only
- [ ] Main _____ References Only

Type of Search Requested:

- [ ] Restricted to Locality of _____
- [ ] Exact Name Only (On the Nose)
- [ ] Buildup [ ] Variations
- [ ] Check for Alphabetical Loyalty Form

Subject BERNARD FENSTERWALD JR.
Birthdate & Place 8-2-21 Nashville, Tenn.
Address
Admin. Asst. To Senator Hennings
Localities

R# 318 Date 2-20-59 Searcher Initials M.E.H.

	FILE NUMBER	SERIAL
I	77-44206	(Ident)
II	105-44852	PP (Ident)
~~—~~	~~66-1372-25-1 Rm 1734~~	
III	62-102241-45	PP
I	105-50350-3 HQ D	
	Mrs. Bernard	
IV	105-50350	PP
IV	105-61861-2 HQ D	
	NR 84	
	B.	
	NR	
	Mrs. B	
V	77-44206-3, 10,	I PP
II	105-50350-2	PP
IV	166-10355-82	PP
Miss	Bail	
I	77-44206	PP 6 PP
	~~66-1372-25-1 Rm 1734~~	
	Guardian	
	Mrs. Bernard	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY Sdo8 SP/dmj

4-22a (Rev. 8-23-57)

NUMEROUS REF[illegible]CE

SEARCH SL[illegible]

Subj: [illegible]

Supervisor [illegible] Room [illegible]

R# 318 Date 5-20-59 Searcher Initial [illegible]

	FILE NUMBER	SERIAL
TV	One 66-18621-069	pff
	NR in WFO, WFO in Quantico	

February 20, 1959

AIRTEL

TO: [redacted], MEMPHIS
BOSTON
ST. LOUIS
RICHMOND
SAN FRANCISCO
WASHINGTON FIELD
CHICAGO

FROM: DIRECTOR, FBI

BERNARD FENSTERWALD, JR., SPI, SENATE JUDICIARY COMMITTEE.

Chairman, Senate Judiciary Committee, requests investigation of Fensterwald who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee, and resides 851 North Lexington Street, Arlington, Virginia.

Received B.S. in 1942 and LL.B. in 1949 from Harvard University. Also attended School of Advanced International Studies, 1946-50, receiving M.A. Indicates attendance 1954-55, Cambridge University in England. Is licensed to practice law in Massachusetts and the District of Columbia. Served in U. S. Navy 1942-46, serial #142274. Employed 1/50 to 9/56, Department of State, Washington, D. C., as assistant to the Legal Advisor, and since 1/57 has been employed as administrative assistant to Senator Thomas C. Hennings, Jr.

As references lists Herman Phleger, attorney, San Francisco, California; Adrian Fisher, attorney, Washington, D. C.; and Senator Estes Kefauver. Also indicates travel in many countries throughout the world for both business and pleasure.

Conduct thorough investigation as to character, loyalty, reputation and associates of Fensterwald, accounting for entire adult life including education, employment and any periods of unemployment. Ascertain and report identity and current address

MLI:fil (16)

Note: Request received 2/20/59 by letter dated 2/18/59 from Senator Eastland.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SD/dmy

REC- 8 77-44206-12

11 FEB 25 1959

MAILED 5 FEB 20 1959 COMM-FBI

MAIL ROOM

67 MAR 3 - 1959

AIRTEL TO SACS, ME, BS, SL, RH, SF, WFO, CG
RE: BERNARD FENSTERWALD, JR., SPI

of all immediate relatives and make appropriate checks concerning each. Set out necessary leads by airtel except where more expeditious means necessary to insure deadline met. Surep to reach Bureau no later than 3/9/59.

2/24/59

AIRTEL

To : SACs, Memphis (77-882)
Boston (77-3951)
Washington Field Office (77-29779)
St. Louis
Richmond
San Francisco
Chicago

From : Director, FBI

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 5668 SLH/dmj

ReBuairtel 2/20/59.

Bureau files reflect Fensterwald subject of DAPLI investigation (attorney, Antitrust Division) in 1949. Appropriate offices review reports of 1949 investigation carefully for thoroughness under current SPI standards and bring up to date. Recontact all persons (including informants) who previously furnished unfavorable information for current comments. Insure all immediate relatives are identified, their current residence verified and appropriate checks made concerning each.

For information offices not concerned with 1949 investigation, a confidential informant advised during the 1949 investigation that the names of Mrs. B. Fensterwald and Ann Fensterwald, both of Belle Meade Park, Nashville, Tennessee, appeared on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting 4/19 through 4/21/42 in Nashville, Tennessee.

Boston, check bar association including grievance committee.

77-44206-13

Tolson
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

PFT:sp
(16)

P.F. Tierney 4651

MAILED 4
FEB 24 1959
COMM-FBI

NOT RECORDED
174 APR 7 1959

6 PFT

MAIL ROOM ☐ TELETYPE UNIT ☐

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 2/24/59

FROM: SAC, RICHMOND (77-0)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI

ReBuairtel dated 2/20/59.

No record in Richmond indices re appointee. RUC

2-Bureau
1-Richmond

ULS/mcw
(3)

77-44206-14

NOT RECORDED
8 FEB 25 1959

8/5/94 5668 SHD/drej

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 2/25/59

FROM: SAC, RICHMOND (77-0)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI

ReBuairtels dated 2/20/59 and 2/24/59 and Richmond airtel to Bureau dated 2/24/59.

No record Richmond indices re appointee. RUC

2-Bureau
1-Richmond

MJS/mcw
(3)

77-44206-15

NOT RECORDED
2 FEB 26 1959

8/5/94 56685MD/dmj

-56)

FBI

Date: 2/25/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, Jr.
SPI, SENATE JUDICIARY COMMITTEE

ReBuairtel 2/20/59.

Bureau's attention is directed to report of SA WILLIAM P. KOSTERMAN, titled "BERNARD FENSTERWALD, Jr., DAPLI, ANTI-TRUST DIVISION", dated 8/31/49, at WDC. UACB WFO will bring investigation up to date.

3 Bureau
1 WFO

FJH:vsh
(4)

8/5/94 5668 SHD/dmj

AIRTEL

77-44206-16

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

2/27/59

PLAIN TEXT

AIRTEL AIRMAIL

TO: SAC, WASHINGTON FIELD (77-29779)

FROM: SAC, ST. LOUIS (77-26153)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI

Rebuairtel to Memphis dated 2/24/59. BUDED: 3/9/59.

On 2/27/59, Personnel, DEPRC, NARS, St. Louis, Missouri advised SE [redacted] that the military service record for BERNARD FENSTERWALD, JR., Navy serial number 142 274, was not located this records center, but may be located Navy Annex, Arlington, Virginia. b6 b7C

Washington Field attempt to verify Navy military service.

- P -

HOWARD

2-Washington Field
1-Bureau
1-St. Louis
JWE:ceh
(4)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/99 BY 56685LD/dmj

77-44206-17

NOT RECORDED
6 MAR 2 1959

March 2, 1959

PLAIN TEXT

AIRTEL AIRMAIL

TO: SAC, WASHINGTON FIELD (77-29779)

FROM: SAC, ST. LOUIS (77-26153)

BERNARD FENSTERWALD, JR.
SPI

ReBuairtels dated 2/20/59 and 2/24/59. Buded 3/9/59.

St. Louis verifying employment with Dept. of State, Wash., D.C., 1/9/50 to 9/5/56. Was on leave without pay from 9/3/54 to 1/5/56, to study at the University of Cambridge.

Additional addresses were indicated as Clarendon Ave., Belleneade, Nashville, Tenn., in February, 1949, and 2016 "F" St., N.W., Wash., D.C., in January, 1950.

His wife was shown as ELIZABETH FENSTERWALD, residing 2016 "F" Street, N.W., Wash., D.C., in 1950.

Records indicated references in 1949 as DR. WILLIAM Y. ELLIOTT, School of Public Administration, Harvard University and JUDGE MANLEY O. HUDSON, Harvard Law School, both located Cambridge, Mass.; DR. HALFORD E. HOSKINS, School of Advanced International Studies, 1906 Florida Ave., N.W. Wash., D.C.

All offices conduct appropriate investigations, if not previously handled. P

HOWARD

2 - Washington Field
1 - Bureau
2 - Boston (77-3951)
2 - Memphis (77-382)
1 - St. Louis
JBS
(8)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SND/drij

77-44206-18

RECORDED
1959

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
CHICAGO	BUREAU	3/3/59	2/25/59

TITLE OF CASE	Report made by	Typed By:
BERNARD FENSTERWALD, Jr.	LOUIS S. CRAIG	MAM
	CHARACTER OF CASE: SPECIAL INQUIRY SENATE JUDICIARY COMMITTEE	

Synopsis:

Reference: Bureau airtel to Memphis dated 2/20/59.

- RUC -

8/5/94 5668 SLS/dmj

Approved	Special Agent In Charge	Do not write in spaces below
Copies made:		77-44206-19

(2) - Bureau (AM)

1 - Chicago (77-10197)

COVER PAGE

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FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA LOUIS S. CRAIG
Office: CHICAGO
Date: March 3, 1959

File Number: Chicago 77-10197

Title: BERNARD FENSTERWALD, Jr.

Character: SPECIAL INQUIRY

Synopsis:

No record of American Bar Association membership on part of appointee located at Chicago, Illinois.

- RUC -

8/5/14 566854D/dmj

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16—74625-1 GPO

CG 77-10197

DETAILS:

Miss MARGARET HANSCHMANN, Clerk, American Bar Association, 1155 East 60th Street, Chicago, Illinois, advised on February 25, 1959, that a search of the Association's membership and grievance files failed to reflect any prior or current membership record for the appointee in the American Bar Association.

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
ST. LOUIS	BUREAU	3/4/59	2/25-26/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY

IC [redacted] b6 b7C

TYPED BY

clh

CHARACTER OF CASE

SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

SYNOPSIS:

REFERENCE: Bureau airtel dated February 20, 1959.
Bureau airtel dated February 24, 1959.
St. Louis airtel to Washington Field dated March 2, 1959.

STATUS: RUC

8/5/94 5685LD/dmj

APPROVED [redacted] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

2 - Bureau (AIRMAIL)

1 - St. Louis (77-26153)

77-44206-20

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FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IO [redacted] Office: St. Louis b6
Date: March 4, 1959 b7C

File Number: St. Louis 77-26153

Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis:

Records FRC, GSA, St. Louis, Mo., indicated BERNARD FENSTERWALD, JR. employed by Dept. of State at Wash., D.C. Terminated by reason of resignation. During this employment he was designated as an Adviser to the Eighth Session of the United Nations General Assembly, New York City, and as an Ad Hoc Adviser to the Working Level Meeting on the Draft Statute of the International Atomic Energy Agency, Wash., D.C. Additional addresses, relative, and references set forth.

- RUC -

DETAILS: AT ST. LOUIS, MISSOURI

8/5/94 5668 SLD/dmj

On February 26, 1959, a review of the personnel records, Federal Records Center, General Services Administration, St. Louis, Missouri, for BERNARD FENSTERWALD, JR., indicated that he was employed on January 9, 1950, as an Attorney-Adviser with the Department of State, Office of Legal Adviser, Office of the Assistant Legal Adviser for International Organization Affairs at Washington, D.C. He was placed on leave without pay from September 3, 1954, to January 5, 1956, for educational purposes to study at the University of Cambridge. This employment was terminated on September 5, 1956, as an Attorney-Adviser by reason of resignation, to accept non-government employment.

The records indicated during the above employment he was designated by the Department of State as an Adviser on the United States Delegation to the Eighth Session of the United Nations General Assembly, New York City, September 15, 1953, and he was designated as an Ad Hoc Adviser on the United States Delegation to the Working Level Meeting on the Draft Statute of

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16—74625-1 GPO

St. Louis 77-26153

the International Atomic Energy Agency, Washington, D.C., February 27, 1956.

The records indicated additional addresses as Clarendon Avenue, Bellemeade, Nashville, Tennessee, in February, 1949, and 2016 "F" Street, Northwest, Washington, D.C., in January, 1950.

The records indicated his wife as ELIZABETH FENSTERWALD, residing at 2016 "F" Street, Northwest, Washington, D.C., in 1950.

The records indicated references in 1949 as DR. WILLIAM Y. ELLIOTT, School of Public Administration, Harvard University, Cambridge, Massachusetts; JUDGE MANLEY O. HUDSON, Harvard Law School, Cambridge, Massachusetts, and DR. HALFORD E. HOSKINS, School of Advanced International Studies, 1906 Florida Avenue, Northwest, Washington, D.C.

The date and the place of his birth were shown as August 2, 1921, at Nashville, Tennessee.

3/4/59

AIRTEL

TO: SAC, NEW HAVEN

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, Jr.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59, no cc New Haven.

Chairman Senate Judiciary Committee, requests investigation of FENSTERWALD, who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee. Buded 3/9/59.

FENSTERWALD was employed 1/50 to 9/56, Department of State, as assistant to the Legal Advisor. Personnel at Department of State, advise that JACK TATE, former Deputy Legal Advisor that agency, now Associate Dean at Yale University and well acquainted with appointee. New Haven handle.

NH

For information New Haven, appointee was subject of DAPLI investigation 1949, at which time a confidential informant advised that the names Mrs. B. FENSTERWALD and ANN FENSTERWALD, both of Belle Meade Park, Nashville, Tennessee, appeared on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting 4/19 through 4/21/42 in Nashville, Tennessee.

2 - New Haven
(1) - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

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77-44206-21

NOT RECORDED
4 MAR 5 1959

SEX

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
SAN FRANCISCO	BUREAU	3/6/59	3/5/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

Report made by: SA EDWARD DORNLAS, JR. | Typed By: vrg

CHARACTER OF CASE

SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

~~XXXXXXX~~
~~Synopsis:~~

REFERENCES: Bureau airtels to San Francisco, 2/20,24/59.

RUC

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HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5168 SLD/dmj

Approved: [signature] Special Agent In Charge

Copies made:
2 Bureau (AM)
1 San Francisco (77-7843)

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77-44206-22

NOT RECORDED
12 MAR 9 1959

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FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA EDWARD DORNLAS, JR. Office: San Francisco
Date: March 6, 1959

File Number: San Francisco 77-7843

Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis: HERMAN PHLEGER, a reference, advised Applicant employed under his supervision for 2 year period in State Department, Washington, D.C., recommends. Nothing unfavorable.

RUC

DETAILS

AT SAN FRANCISCO, CALIFORNIA

REFERENCE

Mr. HERMAN PHLEGER, partner in the law firm of BROBECK, PHLEGER and HARRISON, attorneys, 111 Sutter Street, was interviewed on March 5, 1959. He related that from 1953 to 1957 he was the Legal Adviser in the Department of State, Washington, D.C. He stated that the Applicant, for about a two year period until about 1956, was employed under his supervision in the United Nations Section. He related that the Applicant terminated his Government employment at that time to work on a political campaign.

Mr. PHLEGER stated that he had no outside association with Applicant during the two year period and that he had not met and was not acquainted with any members of Applicant's family.

8/5/94 5668 SLD/dmy

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16—74625-1 GPO

SF 77-7843
ED:vrg

Mr. PHLEGER described Applicant as a very industrious worker, and he would not question his associates or his reputation. He said he would readily re-employ the Applicant based upon his legal qualifications, ability, and good character. Mr. PHLEGER said he would recommend Applicant for any Government employment in a responsible position, and knew of no information of an unfavorable nature concerning him.

Rep[illegible]orm
FD-265 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
BOSTON	BUREAU	3/6/59	2/25/59 - 3/5/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

Report made by [redacted] b6 b7C

Typed By: baw

CHARACTER OF CASE

SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE.

~~XXXXXXXX~~

REFERENCE

Bureau airtel to Boston dated 2/20/59.
St. Louis airtel to WFO dated 3/2/59.

- P -

LEADS

BOSTON:

At Cambridge, Massachusetts
Will interview Professor WILLIAM Y. ELLIOTT, Harvard University, who is expected to be available during the week of 3/9/59.

ADMINISTRATIVE

Reference is made to St. Louis airtel to WFO, cc Boston, indicating that JUDGE MANLEY O. HUDSON, Harvard Law School, Cambridge, Mass., was a reference of appointee in 1949. It is to be noted that

Approved	Special Agent In Charge	Do not write in spaces below
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2 - Bureau (77-44206)

1 - Boston (77-3951)

[illegible] 8/5/94 5668 SLD/dmj

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BS 77-3951

Boston file 62-2704, serial 4, page 3, contains a list of individuals with whom contact by Boston Special Agents is not recommended. This list indicates Professor MANLEY O. HUDSON, 56 Garden Street, Cambridge, Massachusetts, Harvard Law School, is not to be contacted. Therefore, JUDGE HUDSON was not contacted during the course of this investigation.

FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: BOSTON b6 b7C
Date: 3/6/59

File Number: BS 77-3951 - BU 77-44206

Title: BERNARD FENSTERWALD, JR. -

Character: SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE.

Synopsis: No credit or arrest record. No record of any grievances filed against appointee at Massachusetts Supreme Judicial Court or Massachusetts Bar Association.

- P -

Details:

Investigation at Peterborough and Keene, New Hampshire, was conducted by SA [redacted]; at Concord, New Hampshire, by SA [redacted]. b6 b7C

ALL INFORMATION CONTAINED
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DATE 8/5/99 5668 SLD /dmj

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16—74625-1 GPO

BS 77-3951

CREDIT

On March 5, 1959, Miss LEDORA BUTTRICK, Keene Credit Bureau, Keene, New Hampshire, which bureau covers Peterborough, New Hampshire, advised that she could locate no record in her files in the name of BERNARD FENSTERWALD, JR.

ARREST

Miss MARY C. LANNON, Clerk, Cambridge, Massachusetts, Police Department advised on March 5, 1959, that she could locate no arrest record in her files for BERNARD FENSTERWALD, JR.

ALBERT PICARD, Chief of Police, Peterborough, New Hampshire, Police Department, advised on March 5, 1959, that he could locate no arrest record in the files of his department for BERNARD FENSTERWALD, JR.

Personnel of the New Hampshire State Police Headquarters, Identification Section, Concord, New Hampshire, a central repository for arrest records in the State of New Hampshire, advised on February 25, 1959, that BERNARD FENSTERWALD, JR. had no arrest record with that department.

MISCELLANEOUS

Miss PATRICIA CALLAHAN, Office of the Clerk of the Supreme Judicial Court, Suffolk County Courthouse, Boston, Massachusetts, advised on March 5, 1959, that their records showed that the appointee was admitted to the Massachusetts Bar on September 27, 1949, and that their files showed no record of any grievances having been filed against him.

Miss MARGARET WEISS, Massachusetts Bar Association, 15 Court Street, Boston, Massachusetts, advised on March 5, 1959, that the files of that office showed no record of any grievances having been filed against BERNARD FENSTERWALD, JR.

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
MEMPHIS	BUREAU	3/6/59	3/3/59

TITLE OF CASE

"CHANGED"
BERNARD FENSTERWALD, Jr.,
Aka "Bud"

Report made by: FRANCIS W. NORWOOD

Typed By: krp

CHARACTER OF CASE

SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Synopsis:

The title of this case is marked "changed" to include the name "BUD" FENSTERWALD developed in previous investigation.

REFERENCES

Bureau airtel to Memphis and other offices dated 2/20/59.
Bureau airtel to Memphis and other offices dated 2/24/59.

- RUC -

INFORMANTS

Memphis confidential informant T-1 is [redacted], who furnished information on a confidential basis to SA FRANCIS W. NORWOOD in the case entitled [redacted]

b7D
b7E

8/5/94 5668 SLDdmy

Approved [signature] Special Agent In Charge

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Copies made:

(2) - Bureau

1 - Memphis (77-882)

77-44206-24
NCI-12
SD
NOT RECORDED
25 MAR 10 1959

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ME 77-882

ADMINISTRATIVE

Applicant was investigated in the Memphis Division in 1949 (See report of SA FRANCIS W. NORWOOD dated 8/26/49 at Memphis, entitled "BERNARD FENSTERWALD, Jr., aka Bud Fensterwald, Departmental Applicant, Antitrust Division.) There is no indication that he has resided in Nashville, Tennessee, since that time. Material concerning FENSTERWALD and his relatives received since that time is included from file review. Credit and criminal checks were made on applicant's uncle and cousin, inasmuch as there is apparently a close family relationship.

FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA FRANCIS W. NORWOOD
Date: March 6, 1959

Office: MEMPHIS

File Number: Memphis 77-882

Title: BERNARD FENSTERWALD, Jr.

Character: SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Synopsis: Informant advised in 1957 that applicant and relatives have traveled extensively, including trips to Russia and other points behind Iron Curtain, which trips are designed to satisfy their intellectual curiosity. One news article refers to trip to Russia to be taken by applicant and his mother. Credit and criminal on relatives checked. Credit favorable. No criminal record.

- RUC -

8/5/94 5668 SLD/dmj

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16—74025-1 GPO

ME 77-882

DETAILS:

An article appeared in the Nashville "Banner," a daily newspaper published in Nashville, Tennessee, on June 21, 1956, which stated that BERNARD FENSTERWALD, Jr., a State Department lawyer, and his mother, Mrs. BERNARD FENSTERWALD, Sr., Clarendon Avenue, Nashville, would leave the following Friday on a 3-week vacation trip to Russia.

BERNARD FENSTERWALD, Jr., was quoted in the article and he indicated that it was strictly a vacation trip and that he and his mother were curious to see what was going on behind the Iron Curtain. He stated that they planned to visit Leningrad, Moscow, Stalingrad, Rostov and Kiev, and that they were more interested in seeing the industries and the people than in browsing through art museums. It was stated that this was to be BERNARD FENSTERWALD's first trip to Russia, but his mother was said to have visited there under the Czarist regime just before World War I. The article further stated that BERNARD FENSTERWALD had recently returned from a year and a half in Western Europe, chiefly spent in studying at Cambridge University. He described himself as an international lawyer. He was further described as having been a State Department official since 1950, and as being in the United Nations Affairs Section of the Office of the Legal Adviser to the Secretary of State.

In connection with another matter, the following information was received from Memphis confidential informant T-1, who advised on June 24, 1957, that she had been acquainted with RALPH FENSTERWALD, an uncle of BERNARD FENSTERWALD, Jr., for a period of twenty to thirty years. This informant said that RALPH FENSTERWALD was approximately sixty years of age, is five feet eight inches tall, grey hair, medium complexion, and brown eyes. She stated that he was retired from business; that formerly he was one of the owners of Burk and Company, a clothing store in Nashville.

Informant stated that since FENSTERWALD's retirement he has done nothing except travel and rest at his home in

Nashville between trips. She advised that within the past two years, his sister-in-law, Mrs. BERNARD FENSTERWALD, also known as Mrs. Blanche Fensterwald, and her son, BERNARD FENSTERWALD, Jr., have made a trip to Europe, during which they visited some countries behind the Iron Curtain. She stated she also understands that his daughter, ELAINE FENSTERWALD, has recently left the United States for a trip to Europe and that she plans to visit some of the countries behind the Iron Curtain. Informant stated she feels that RALPH FENSTERWALD will become interested in such a trip, inasmuch as he has always followed the suit of his family, and that probably he and his wife, LUCILLE FENSTERWALD, will be making such a trip in the future.

Informant stated that she knows of no Communist affiliations or sympathies on the part of RALPH FENSTERWALD or any of his relatives, and stated that these trips are strictly tourist or pleasure trips and are not made because of any ulterior motives. She stated that RALPH FENSTERWALD and his wife are very high type people who are extremely well educated and have a high degree of intellectual curiosity. She pointed out that their daughter, ELAINE FENSTERWALD, is an attorney at law in New York City and is regarded as a very intelligent person. She stated the FENSTERWALDs are well off financially and that their travels are designed to satisfy their intellectual curiosity.

On July 11 , 1957, Memphis confidential informant T-1 advised that RALPH FENSTERWALD and his wife were scheduled to leave Nashville, Tennessee, on July 16, 1957, to go on an extended trip to Europe.

Credit and Criminal

Miss BARBARA RYAN, Clerk, Credit Bureau of Nashville, advised SE JOHN D. JONES on March 3, 1959, that Mrs. BLANCHE FENSTERWALD, Clarendon Avenue, RALPH FENSTERWALD and his wife, LUCILLE FENSTERWALD, 402 Elmington Place, and ROBERT DANIEL EISENSTEIN and his wife, ANN FENSTERWALD, 1108 Nichol Lane, all Nashville, Tennessee, have satisfactory credit records in her files. She stated that there is no information

in her files which would reflect adversely on their character, loyalty or associates.

Miss RYAN advised that she was unable to locate any information in her files concerning ELAINE FENSTERWALD.

Mr. JAMES P. GOSSETT, Identification Officer, Davidson County Sheriff's Office, and Mrs. FAY RYMAN, Clerk, Central Records Division, Nashville, Tennessee, Police Department, advised SE JONES on March 3, 1959, that they were unable to locate any information in the files of their respective offices concerning Mrs. BLANCHE FENSTERWALD, ROBERT D. EISENSTEIN, ANN FENSTERWALD EISENSTEIN, RALPH FENSTERWALD, LUCILLE FENSTERWALD, or ELAINE FENSTERWALD.

- RUC -

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Memphis, Tennessee
March 6, 1959

In Reply, Please Refer to
File No.

BERNARD FENSTERWALD, Jr.
SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Memphis confidential informant T-1 referred to in the report of Special Agent FRANCIS W. NORWOOD dated March 6, 1959, at Memphis, Tennessee, has furnished reliable information in the past.

FD-36 (Rev. 12-13-56)

F B I

Date: 3/6/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59.

Investigation to date does not account for appointee's activity between 9/5/56, when he left State Department, and 1/16/57, when he entered on duty with Senator THOMAS C. HENNINGS, Jr. If existing sources cannot supply this information, WFO will interview FENSTERWALD, UACB. Because of lack of information in this regard, report will not reach Bureau before 3/11/59.

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

77-44206-25

NOT RECORDED

8/5/94 5668 SD/dmj

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
NEW HAVEN	BUREAU	3/7/59	3/6/59

TITLE OF CASE	Report made by	Typed By:
BERNARD FENSTERWALD, JR.	SA SALVATORE F. DUCIBELLA	smj
	CHARACTER OF CASE: SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE	

Synopsis:

REFERENCE:

Washington Field airtel to New Haven, dated 3/4/59.

- R U C -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 516d8 SLD/dmj

Approved: E. J. M. | Special Agent In Charge

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Copies made:

3-Bureau

1-New Haven (77-3778)

77-44206-36

NOT RECORDED
7 MAR 9 1959

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☆ U. S. GOVERNMENT PRINTING OFFICE: 1955 O—344750

FBI-2 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA SALVATORE F. DUCIBELLA Office: NEW HAVEN
Date: 3/7/59

File Number: NH 77-3778

Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY -
SENATE JUDICIARY COMMITTEE

Synopsis: JACK TATE and CHARLES RUNYON of the Yale Law School, New Haven, Conn., advised that they knew appointee as an Assistant to Legal Adviser, Dept. of State, and have known him socially as personal friends; both highly recommend appointee for intelligence, ability, character, reputation, associations, and unquestioned loyalty.

- R U C -

Details: On March 6, 1959, JACK B. TATE, Associate Dean, School of Law, Yale University, New Haven, Connecticut, advised that he had been Deputy Legal Adviser in the Department of State from 1950 to 1954 when BERNARD FENSTERWALD, JR. was employed as an Assistant to the Legal Adviser. Mr. TATE stated that he was well acquainted with appointee during and since the above period; and observed that appointee had worked under his general supervision and had performed many assignments for him. He added that he has kept in touch with appointee socially since that time. Mr. TATE related that the appointee, he had found, was a man of very high intelligence and ability as a lawyer, that he has kept up his knowledge of the law and written law review articles, that he is a hard worker who gets along well with people and has a pleasant personality. He added that "he is the kind of person I would like to have on my staff."

DATE 8/5/94 5668 SLD/dmw

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Mr. TATE advised that appointee is a fair-minded person of excellent judgment. He stated that appointee has a great interest in world affairs and is a keen student thereof. He noted that after leaving the Department of State in 1956, the appointee studied for a year at Cambridge University in England. He also stated that appointee, out of intellectual curiosity, visited the Soviet Union; that before and after the latter visit, appointee thought "the Communists are lousy."

Mr. TATE stated that appointee's associates have always been persons of high regard in governmental and academic circles, that they and he are persons of excellent character, reputation, and unquestioned loyalty as Americans. Mr. TATE stated he would recommend appointee for a position of high trust and confidence in government service.

On March 6, 1959, CHARLES RUNYON, Assistant Dean, School of Law, Yale University, New Haven, Connecticut, advised that he knew appointee from 1950 to September, 1956, as a fellow Assistant to the Legal Adviser in the Department of State, that they both worked in the office of the Assistant Legal Adviser for United Nations Affairs, and that he knew appointee socially as a close friend since that time. He described appointee as a man of great ability and intelligence, as a capable lawyer who possesses very good judgment and a fine, forthright character and personality.

Mr. RUNYON stated that appointee's associates have been persons of excellent character and reputation, who are highly respected in government and academic life. He stated that appointee possesses a charming personality and gets along well with his colleagues in government service. He noted that appointee possesses great enthusiasm, initiative, imagination, fair mindedness, and the ability to get things done. He stated that appointee is a person of unquestioned loyalty and that he would highly recommend him for a position of trust and confidence.

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-15-2015
D27B81S81

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3/9/59

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF _____
DATE _____

AIRTEL

TO: SAC, NEW YORK

FROM: SAC, WFO (77-29779)

CLASS & EXT. BY 638 VEH/lw
REASON FCIM II-2.4.2 2.3
DATE OF REVIEW 7-9-87
8/4/94 5668 SP/dmg
Classified By
Declassify on: OADR
CA#94-0655 HHG

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59, no cc's NY.

Chairman, Senate Judiciary Committee, requests investigation of FENSTERWALD, who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee. Buded 3/9/59.

Reference is also made to NY letter to the Bureau dated 7/1/56 entitled [redacted] (C) (U) **, which advised that** [redacted] **advised that Mrs. BERNARD FENSTERWALD and son were departing the United States on SAS Flight 904 on 6/23/56 for the Soviet Union. This information is not reflected in the appointee's passport record.** (C) (U)

b7D
b7E

WFO will set this information out in report, however, NY furnish Bureau with documentation memo for [redacted] (C) (U)

b7D

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (PRC)
DATE: 1/28/94 5668 SP/dmg

2 - New York
1 - Bureau
1 - WFO
FJH:blb
(4)

CLASSIFIED AND EXTENDED BY SP 2 AP/CG Tel (C)
REASON FOR EXTENSION FCIM, II, 1-2.4.2 2.3
DATE OF REVIEW FOR DECLASSIFICATION 3-9-79 8-21-29

AIRTEL

77-44206-27
NOT RECORDED
MAR 9 1959

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) ON 3/13/59
DATE

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7-16-82

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-15-2015
D27B81S81

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

CONFIDENTIAL

Reporting Office	Office of Origin	Date	Investigative Period
WASHINGTON FIELD	BUREAU	3/10/59	2/25/59 - 3/9/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

Report made by [redacted] b6 b7C

Typed By: cpn

CHARACTER OF CASE

SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

CLASS. & EXT. BY 638 [illegible]
REASON-FCIM II, 1-2.4,2
DATE OF REVIEW 7-9-94

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 SCD/dmy

Synopsis:

References: Bureau airtels 2/20/59 and 2/24/59.
St. Louis airtels to WFO 2/27/59 and 3/2/59.

- P -

CLASSIFIED AND EXTENDED BY SP2 T APICG/ml
REASON FOR EXTENSION 2.1.5
FCIM, II, 1-2.4,2
DATE OF REVIEW FOR DECLASSIFICATION 7.10.79
8-21-79

LEAD

WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Will report results of checks at ONI, [redacted] b7E

INFORMANT (U)

WF T-1: Anonymous source. (U)

NY T-1: [redacted] (C) (U) as reflected in NY let to Bureau dated 7/1/56, captioned [redacted] (C) (U) b7D b7E

8/24/94 Classified by 5668 SCD/dmy Declassify on: OADR

Approved JVB Special Agent In Charge

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1 - Washington Field (77-29779)

77-4/4206-28

NOT RECORDED
25 APR 8 1959

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APPROPRIATE AGENCIES AND [illegible] OFFICES ADVISED BY LETTER SLIP(S) OF 4/28/59 DATE

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Careful consideration has been given each source concealed and T-Symbols were utilized in the report only in those instances where the identities of the sources must be concealed.

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COVER PAGE

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DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-15-2015
D27B81S81

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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Copy to:

Report of: SA [redacted] Office: Washington, D. C. b6 b7C
Date: 3/10/59

File Number: Washington Field (77-29779)

Title: BERNARD FENSTERWALD, JR.

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.~~

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis: Employment at U. S. Senate and Department of State verified and associates recommend. M.A. Degree awarded appointee from School of Advanced International Studies 1950. References recommend. Residences verified and favorable. No additional pertinent information D. C. Credit Bureau, Inc. No record MPD or USPP. Traffic record located Arlington County, Virginia, PD. No additional pertinent information CSC and no record HCUA. Navy record set forth. No additional pertinent information Security Office, Department of State. Appointee admitted to D. C. Bar 6/19/53. No additional pertinent information Committee on Admissions and Grievances. No record Bar Association of D. C. No additional pertinent information OSD. State Department passport information set forth. [redacted] (U) b3 b7E

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC) DATE:

CLASS. & EXT. BY 6383 ~~2 2~~ 2 2 P
REASON-FCIM II, 1-2.4.2 ~~2.3~~
DATE OF REVIEW ~~7-6-94~~

CLASSIFIED AND EXTENDED BY SP2TAR/RGL
REASON FOR EXTENSION FCIM, II, 1-2.4.2 2.3
DATE OF REVIEW FOR DECLASSIFICATION 3.10.79

8/3/94 5668 SLD/dmj

Declassify on: OADR
CA#94-0655 HHG

APPROPRIATE AGENCIES.
[illegible]
DATE 8/28/94

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16—74625-1 GPO

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WFO 77-29779

DETAILS: AT WASHINGTON, D. C.

EMPLOYMENT

U. S. Senate

On February 26, 1959, Mr. JOHN ROBERSON, Clerk, U. S. Senate Disbursing Office, advised SA PAUL E. ERTZINGER that the payroll records reflected that the appointee entered on duty on January 16, 1957, as an Assistant Clerk to U. S. Senator THOMAS C. HENNINGS, JR., and that on April 19, 1957, he was promoted to Administrative Assistant. The record further indicated that on February 1, 1959, the appointee transferred to Chief Counsel, U. S. Senate Subcommittee on Constitutional Amendments, and is currently serving in that capacity.

[redacted] to U. S. Senator THOMAS C. HENNINGS, JR., advised SA ERTZINGER on March 5, 1959, that Senator HENNINGS has been unavailable due to an illness during the preceding week and did not know when he would be able to return to his office. [redacted] contacted Senator HENNINGS and advised SA ERTZINGER that the Senator had authorized him to state that he had known the appointee when the appointee was with the Department of State and had always had the highest regard and praise for him. He added that he knew nothing at all unfavorable concerning the appointee's character, associates, reputation and loyalty and added that he would recommend him most favorably for a sensitive position with the Government. b6 b7C

[redacted] also advised that he has known the appointee since July, 1957, and worked as his assistant until the appointee left Senator HENNING's office. He concluded that in addition to this professional contact he has known him well socially and described the appointee's character, associates, reputation and loyalty as being above any question and his work as most competent and satisfactory. He stated that he would recommend the appointee most favorably for a sensitive position with the Government. b6 b7C

On March 6, 1959, [redacted] Staff of U. S. Senator HENNINGS, advised that she has known the appointee professionally and furnished substantially the same information as [redacted], and recommended the appointee b6 b7C

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for a sensitive position with the Government. [redacted] also stated that from September, 1956, to January, 1957, the appointee assisted Senator ESTES KEFAUVER in his political campaign. b6 b7C

On the same date, [redacted], [redacted] to Senator KEFAUVER, verified the fact that the appointee had worked on the Senator's political campaign from September, 1956, to January, 1957. She stated that he contributed his time and efforts and was not on the Senator's or the Senate payroll. [redacted] said his work had been very satisfactory, that his character, associates, reputation and loyalty were above question, and that she would have no hesitation in recommending him for a sensitive position with the Government. b6 b7C

Department of State

On February 26, 1959, SE [redacted] caused the personnel records, Department of State, to be searched concerning the appointee and the records did not reflect any additional pertinent information. b6 b7C

On March 3, 1959, SA OLIVER B. JONES conducted the following investigation at the Department of State:

Mr. LEONARD C. MEEKER, Assistant Legal Adviser for United Nations, stated he has known the appointee since about the Summer of 1951 having met him as a fellow employee of their group. He related that Mr. FENSTERWALD was under his immediate supervision for the most part until the appointee left the Department of State in 1956. Mr. MEEKER advised further that he found Mr. FENSTERWALD to be a very competent attorney, sincere, discreet and trustworthy. He added that he has had some social contact with the appointee having visited in his home on two or three occasions where he met his wife and son, about seven or eight years old. Mr. MEEKER stated he consider the appointee to be a person of fine character, high integrity and completely loyal to the U. S. Government. He related further he is aware of nothing adversely concerning the appointee and would recommend him unreservedly for a position of utmost trust and confidence.

[redacted], Department of State, stated he met Mr. FENSTERWALD around 1950 professiona... b6 b7C

as a fellow employee in the Department of State. He related that the appointee was held in high respect by his associates in the Department and considered him to be one of the ablest men in their legal office. [redacted] stated he was acquainted with Mr. FENSTERWALD in a slight social way through functions of the Department and had met his wife. He further advised that he found the appointee to possess good judgment and to be completely honest and discreet. [redacted] related that to the best of his knowledge Mr. FENSTERWALD is completely loyal to the United States and was aware of nothing adversely concerning him. He added he would gladly recommend Mr. FENSTERWALD for a position of trust and confidence. [redacted] related that since the appointee left the Department of State he has seen him occasionally on a visit to their office. He added that Mrs. FENSTERWALD impressed him as being a stable and respectable woman.

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Mr. RAYMOND T. YINGLING, Assistant Legal Adviser for Special Functional Problems, stated he was acquainted with the appointee during most of FENSTERWALD's employment in their Department. He related during this period he had some business contacts with Mr. FENSTERWALD where both had mutual interest in certain problems. Mr. YINGLING advised that the appointee impressed him as being a bright young man with good legal talent. He further advised he could speak only favorably concerning the appointee's character, reputation, personal integrity and loyalty to the U. S. Mr. YINGLING further stated he would have no hesitation in recommending Mr. FENSTERWALD for a trustworthy and confidential position.

[redacted], stated he became officially acquainted with Mr. FENSTERWALD shortly after the latter became appointed to the Department of State in 1950. He advised that he worked directly with the appointee in connection with the Bricker Admendments and in this regard found him to be a very able and competent attorney. [redacted] related he had a limited social contact with the appointee at certain office functions and on such occasions had a chance to meet his wife. He further advised that he regards Mr. FENSTERWALD as a man of sterling character and reputation and completely loyal to the U. S. and its government. [redacted] stated he knows of nothing detrimental concerning the appointee or his wife and would have no hesitation in endorsing him for a position of utmost confidence.

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Mr. BENEDICT M. ENGLISH, Legal Adviser for International Claims, advised he was officially acquainted with the appointee during the latter's employment in the Department of State and for a period of about nine months or more during 1953-1954 when he (ENGLISH) was Acting Deputy Legal Adviser for the Department, maintained a close working contact with Mr. FENSTERWALD. He stated that the appointee impressed him as being a very competent individual with ability and good judgment. Mr. ENGLISH stated Mr. FENSTERWALD exhibited good character traits and that his legal and moral conduct in the office was excellent. He added that he was aware of nothing unfavorable concerning the appointee and would not hesitate to recommend him for a position of trust and confidence.

EDUCATION

On February 27, 1959, Mrs. J. FLYNN, Secretary to the Dean, School of Advanced International Studies, made available the appointee's record which reflected that he entered that school on January 29, 1946, and was awarded a Master of Arts Degree on June 3, 1950. The record was satisfactory and no additional pertinent information was noted. Mrs. FLYNN advised that due to the lapse of time, no one associated with the school would recall the appointee.

REFERENCES

On March 3, 1959, ADRIAN FISHER, General Counsel and Vice President, Washington Post and Times Herald, advised SA ERTZINGER that he has known the appointee since 1950. He stated he personally hired the appointee at the Department of State in 1950 and was his superior there for two years. He said he also knew the appointee's family in Nashville, Tennessee, through his wife (Mrs. FISHER). He described the appointee's character, reputation, associates, and loyalty as all being good. He said the appointee is a very capable person and entirely loyal. He indicated he would rehire the appointee if he had the opportunity and would recommend him most favorably.

U. S. Senator ESTES KEFAUVER advised SA ERTZINGER on February 27, 1959, that he has known the appointee approximately eight years; first in connection with his duties at the Department of State, and later through his work on the Bricker Amendment in Senator HENNING's office.

He described him as a bright and able young man whose character, associates, reputation and loyalty were satisfactory in every respect. He stated he has recommended him for his present position and would not hesitate to recommend him for any sensitive position with the Government.

On March 6, 1959, Dr. HALFORD E. HOSKINS, formerly associated with the School of Advanced International Studies, who was listed by the appointee as a reference in 1949, advised SA ERTZINGER that he is unable to recall the appointee although he probably had been one of his students. He added he was certain there was nothing unfavorable concerning the appointee or he would have had a better recollection of him.

Numerous and repeated efforts to contact Mr. MILTON STARR, listed as a reference by the appointee in 1949, were met with negative results.

RESIDENCE

On February 26, 1959, [redacted] Arlington, Virginia, advised SA [redacted] that she has resided there eight years and that the appointee and his wife moved into their home at 851 North Lexington Street, Arlington, Virginia, seven years ago. She stated that in addition to the appointee his family consisted of his wife and eight year old son, [redacted], continued that she regarded the appointee and his family as wonderful neighbors and vouched for their character, associates, reputation and loyalty. She further pointed out she would have no hesitation in recommending the appointee for a sensitive position with the Government. b6 b7C

[redacted] also advised that the appointee and his family resided in England for approximately one year while the appointee was attending a university there. b6 b7C

On February 27, 1959, [redacted] Arlington, Virginia, located the appointee's house, advised SA [redacted] she has known the appointee and his family as friends and neighbors for six and one-half years. [redacted], Arlington, Virginia, advised SA [redacted] on the same date that she has known the appointee b6 b7C

and his family for four years. Both [redacted] and [redacted] furnished substantially the same information as [redacted] and also recommended the appointee for a sensitive position with the Government. b6 b7C

CREDIT AND POLICE AGENCIES

The records of the D. C. Credit Bureau, Incorporated, Washington, D. C., as reviewed on February 26, 1959, by SE [redacted] did not reflect any additional pertinent information concerning the appointee or his wife, ELIZABETH FENSTERWALD. b6 b7C

No record was located concerning the appointee or his wife in the files of the Metropolitan Police Department as reviewed on February 26 and March 2, 1959, by SE [redacted]; at all times an indefinite number of unidentified records are out of file and not available for review. b6 b7C

The records of the U. S. Park Police, as caused to be searched on February 26 and March 2, 1959, by IC [redacted] did not reflect any information concerning the appointee or his wife. b6 b7C

The records of the Arlington County, Virginia, Police Department, as caused to be searched on March 2, 1959, by SE [redacted] did not reflect any information concerning the appointee's wife. A record was located for one BERNARD FENSTERWALD, JR., 851 North Lexington Street, Arlington, Virginia, reflecting that on January 20, 1952, he was cited for traveling 45 miles per hour in a 25 miles per hour zone for which he was assessed fine and costs of $10. b6 b7C

MISCELLANEOUS

The records of the Investigations Division, Civil Service, Commission, as reviewed on March 2, 1959, did not reflect any additional pertinent information concerning the appointee.

No record was located concerning the appointee in the files of the House Committee on Un-American Activities, reviewed on February 26, 1959, by IC [redacted] b6 b7C

On February 26, 1959, SE [redacted] reviewed the U. S. Navy Officer Record of BERNARD FENSTERWALD, JR., which reflected that on January 1, 1951, he was transferred b6 b7C

to the U. S. Naval Reserve Officer Inactive-Status List as a Lieutenant. As of November 12, 1954, the record reflects he was married and had one child, name not shown. As of January 29, 1958, he was a Lieutenant in the U. S. Naval Reserve on the Officer Inactive Status List.

No additional efficiency reports were contained in the record since last reviewed. No additional pertinent information was contained in the record.

The investigative file, maintained by the Security Office, Department of State, concerning the appointee, reviewed on March 3, 1959, did not reflect any additional pertinent information.

On February 26, 1959, Mrs. RUTH DUFFEY, Lawyers' Register, U. S. District Court for the District of Columbia, advised that her records reflected the appointee was admitted on June 19, 1953. No additional pertinent information was available.

No additional pertinent information was located in the records of the Committee on Admissions and Grievances, U. S. District Court for the District of Columbia, as reviewed on February 26, 1959.

On February 27, 1959, Miss JANE WHEATLEY, Secretary, Bar Association for Washington, D. C., advised she could locate no record concerning the appointee.

Mr. D. J. HENSLEY, Office of Security Service, Office of the Secretary of Defense, made available to SA EDGAR L. CARTER on March 5, 1959, a file relating to the appointee which contained a memorandum dated August 30, 1957, reflecting that the appointee was to be an official U. S. Government Observer at the "GIRARD Trial" in Japan. Mr. HENSLEY advised that the appointee was issued a secret clearance by the Office of the Secretary of Defense on August 20, 1957. No additional pertinent information was contained in the file and the appointee was never employed by the Office of the Secretary of Defense.

The files of the Passport Office, Department of State, reviewed on March 6, 1959, by SE [redacted] reflected that BERNARD FENSTERWALD, JR., was issued Passport #73365 on May 14, 1946, for proposed six months travel to Mexico, Guatemala, Nicaragua, Honduras and Costa Rica. A

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CONFIDENTIAL

photostatic copy of a birth certificate in the files substantiated the birth data given.

He was issued Passport #451152 on August 4, 1954, for a proposed two years travel to England and trips to various countries in Western Europe. The purpose of his trip was listed as "Education at University of Cambridge and possible tours of duty on orders of Legal Adviser of Department of State on leave of absence."

He was issued Special Passport #133454 on August 14, 1957, for proposed two weeks travel to Japan as an official U. S. Government observer at the GIRARD trial.

On August 13, 1958, he was issued Passport #1186011 for proposed six weeks pleasure travel to Ireland, Wales, England, and France.

There is a notation in the files that he was included on a passport issued to his father in approximately 1936; however, this applicant was not located.

No additional pertinent information was contained in the files.

WF T-1 advised on February 21, 1956, that [redacted] b3 b7E (U)

NY T-1 advised that Mrs. BERNARD FENSTERWALD and son were departing the United States on Scandinavian Airlines System Flight 904 on June 23, 1956, for the Soviet Union. (U)

CONFIDENTIAL

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 77-29779

WASHINGTON 25, D. C.
March 10, 1959

BERNARD FENSTERWALD, JR.
SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

WF T-1, mentioned in the report of Special Agent [redacted], dated and captioned as above, has furnished reliable information in the past. b6 b7C

This memorandum is loaned to you by the Federal Bureau of Investigation and neither it nor its contents are to be distributed outside the agency to which loaned.

(25-58)

DECODED COPY

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

[XX] Radio [ ] Teletype

DEFERRED 3-10-59

TO DIRECTOR AND SAC, WASHINGTON FIELD

FROM SAC, BOSTON 101420

BERNARD FENSTERWALD JR, SPI. RE ST. LOUIS AIRTEL TO WFO MARCH 2 LAST. BUDED MARCH 9 NEXT. SECRETARY TO DR. WILLIAM Y. ELLIOTT, HARVARD UNIVERSITY, REQUESTED THAT BY REASON OF HEAVY SCHEDULE AND TRAVEL STATUS, THAT DR. ELLIOTT BE CONTACTED AT HIS OFFICE, ROOM 5150, NEW STATE DEPARTMENT BLDG., WASHINGTON, D.C., WHERE HE WILL BE MARCH 12 AND 13 NEXT. WFO HANDLE. RUC.

RECEIVED: 10:01 AM RADIO

10:27 AM CODING UNIT HL

2 - CC WASHINGTON FIELD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668-SLD/dmj

NOT RECORDED
174 APR 7 1959

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

FD-36 (Rev. 12-13-56)

FBI

Date: 3/12/59

Transmit the following in _____ (Type in plain text or code) CONFIDENTIAL

Via AIRTEL _____ (Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (77-24472)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI
Senate Judiciary Committee
Buded 3/9/59

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE 8/8/94 BY 5668 SD/ch CA# 94-0655 HHG (see drif form)

Re WFO airtel to NY, 3/9/59.

Above airtel referred to NY let to Bureau dated 7/1/56 entitled [redacted] which contained information furnished by [redacted]. Referenced airtel reflected that WFO would set forth information furnished by [redacted] and requested that NY furnish Bureau with documentation memo for [redacted]. (C) U

b7D
b7E

It is to be noted that [redacted] is current informant of NYO who has furnished reliable information in the past. He was not personally acquainted with the FENSTERWALDS and could furnish no additional information regarding them. C U

b7D

NYO unable to submit letterhead memorandum in this matter setting forth fact that informant has furnished reliable information in the past, inasmuch as WFO did not indicate what T symbol they were using in their report.

No further action being taken in this matter by NYO and no report being submitted. RUC

77-4/206-31

NOT RECORDED
3 MAR 13 1959

3-Bureau
1-WFO (77-29779)(Info)
1-New York (77-24472)

(6)
AWW:ahd

CLASSIFIED AND EXTENDED BY SP2TAP/ICG 1st
REASON FOR EXTENSION 2.1.3
FCIM, II, 1.2.4.
DATE OF REVIEW FOR DECLASSIFICATION 3-12-79
8-21-79

7-16-82

APPROPRIATE AGENCIES
FIELD OFFICES
NOTIFIED BY ROUTING
SLIP(S) OF
DATE

Approved: _____ Special Agent in Charge

Sent CONFIDENTIAL M Per _____

FD-36 (Rev. 12-13-56)

FBI

Date: 3/13/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

Re report SA [redacted] dated 3/10/59, Boston radiogram to Bureau 3/10/59, and my airtel 3/11/59. b6 b7C

On 3/12/59, Dr. WILLIAM Y. ELLIOTT, Consultant, Office of the Under Secretary, Department of State, advised SA JOSEPH J. SPEICHER that he had known the appointee's family in Nashville, Tennessee, for many years, but that he had had very little personal contact with, or knowledge of, the appointee himself. He stated that beyond saying that the appointee came from a fine background and seemed to properly reflect that background, he could not comment further concerning him, since he knew him so slightly on a personal basis.

Lead for ONI still outstanding.

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

8/5/94 .. 5660 SLD/dmj 77-44706-32

NOT RECORDED

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FD-36 (Rev. 12-13-56)

F B I

Date: 3/17/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Re report SA [redacted], 3/10/59, and my airtel 3/11/59. b6 b7C

No additional pertinent information ONI as caused to be checked 3/16/59 by SE [redacted] RUC. b6 b7C

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 5668 SLD/dmj

77-44206-33
NOT RECORDED
23 MAR 17 1959

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

[redacted]

Agree 5668 SD/dmj 8/5/94
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-21-99 BY SP-2 AP/C Clk

March 20, 1959

BY COURIER SERVICE

[redacted]

Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C.

My dear Mr. Chairman:

In accordance with the request contained in your letter dated February 18, 1959, an investigation has been conducted by this Bureau concerning Bernard Fensterwald, Jr.

There is enclosed for your information a summary memorandum pertaining to Mr. Fensterwald.

An applicant-type investigation concerning Mr. Fensterwald was conducted by this Bureau in 1949. The information set forth in the enclosed summary memorandum was obtained during the 1949 investigation and during the current inquiries.

During the current investigation of Mr. Fensterwald the files of one governmental agency* were temporarily unavailable for review. When these files are available and have been reviewed, you will be advised of any pertinent information located.

REC-9 77-44206 BJI

Please be advised that the investigations of Mr. Fensterwald covered inquiries concerning his character, loyalty and general standing, but no inquiries were made concerning the sources of his income.

25 APR 8 1959

Sincerely yours,

[redacted]

BY COURIER SVC
MAR 20 3
COMM-FBI

REC'D-READING ROOM
MAR 20 11 14 AM 59

Enclosure

* ONI

PFT:bhg:fjj
(6)

See Note Page Two.

[redacted] SEE REVERSE SIDE FOR ADD. DISSEMINATION

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy
DeLoach
McGuire

MAIL ROOM ☐ TELETYPE UNIT ☐ FBI

NOTE:

Request received 2/20/59, by letter dated 2/18/59, from Senator Eastland to investigate Fensterwald, who is Chief Counsel, Senate Subcommittee on Constitutional Amendments. Fensterwald investigated in 1949 as Departmental applicant, attorney, Antitrust Division. That investigation as well as current inquiries highly favorable.

Fensterwald's mother and sister reportedly attended a meeting in 1942, Nashville, Tennessee, of the Southern Conference for Human Welfare, a cited organization. However, reliable sources have advised many prominent individuals attended this meeting because of its proposed purposes and due to the fact Mrs. Eleanor Roosevelt was to speak. Fensterwald and his mother took a trip to the Soviet Union in 1956; however, this trip reportedly made to satisfy intellectual curosity of Fensterwald and his mother. All persons contacted during both investigations highly recommended Fensterwald as a competent attorney and a loyal American. They described all the members of his family as loyal Americans as well.

Copy of summary being sent to Senator Eastland only as this does not involve a Presidential appointment.

April 2, 1959

BY COURIER SERVICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C.

My dear Mr. Chairman:

Reference is made to my letter dated March 20, 1959, enclosing a summary memorandum pertaining to Mr. Bernard Fensterwald, Jr.

Please be advised that the files of the Office of Naval Intelligence have now been reviewed and no pertinent identifiable information with reference to Mr. Fensterwald was located.

This concludes the investigation of Mr. Fensterwald.

Sincerely yours,

J. EDGAR HOOVER

BY COURIER SVC.
13 APR 2
COMM-FBI

REC- 44

EX-135

77-44206-35

APR 8 1959

Tolson
Boardman
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W.C. Sullivan
Tele. Room
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Gandy
DeLoach

66 APR 16 1959

PFT:bap
(6)

MAIL ROOM ☐ TELETYPE UNIT ☐

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Evans

DATE: October 27, 1964

FROM : T. J. McAndrews

DECLASSIFIED BY 5668 SLD/dmj
ON 8/5/94

SUBJECT: BERNARD FENSTERWALD, JR.
CHIEF COUNSEL
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURES (LONG COMMITTEE)
SENATE JUDICIARY COMMITTEE

The captioned individual is Chief Counsel of the Senate Subcommittee on Administrative Practice and Procedures, which is headed by Senator Edward V. Long (Democrat - Missouri). This Subcommittee is currently conducting an inquiry into the extent of wire tapping being practiced by agencies and departments of the Government.

Over the past weekend, I had occasion to be with [redacted] who furnished the following information on an extremely confidential basis. [redacted]

b6
b7C
b7D

[redacted]

b6
b7C
b7D

Enc. (1) ENCLOSURE

1 - Mr. Belmont
1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Mohr
1 - Mr. Conrad
1 - Mr. Evans
1 - Mr. McAndrews
McA:rap (9)

REC-47 EX-100 77-44206-36

3 NOV 4 1964

CLASSIFIED AND EXTENDED BY 5668 SLD/APC/dmj
REASON FOR EXTENSION FCIM, II, 1-2.4.2 2-3 [redacted]
DATE OF REVIEW FOR DECLASSIFICATION 10-27-74 8-21-75

Memorandum to Mr. Evans
Re: Bernard Fensterwald, Jr.

[redacted]

b6
b7C
b7D

Background Concerning Bernard Fensterwald, Jr.

For your information there is attached a summary prepared concerning applicant-type investigations conducted by the Bureau on Fensterwald in 1949 and 1959. While generally favorable, this summary does indicate that the names of Mr. Fensterwald's mother and sister appeared on a list of delegates and members of the Southern Conference for Human Welfare (a cited organization) at a meeting held from April 19 through 21, 1942, in Nashville, Tennessee. Inquiry revealed that many leading citizens of Nashville had been approached concerning this meeting, which was to be addressed by Mrs. Eleanor Roosevelt, and that many people attended the meeting for that reason alone.

Fensterwald and his mother travelled to the Soviet Union on June 23, 1956, for a three-week vacation visit, which was to cover Moscow, Stalingrad, Rostov, Kiev and Leningrad. At that time Fensterwald was employed as a lawyer by the U. S. Department of State.

In a memorandum dated May 28, 1953, information was set forth indicating that Fensterwald, then employed by the Senate Subcommittee on Constitutional Rights (Henning Committee), was involved in a request to the Bureau from this Subcommittee for a list of instances wherein we had furnished information to members of Congress. Former Assistant to the Director Nichols talked to Senator Henning in Fensterwald's presence, and Senator Henning advised that Fensterwald's request to the Bureau had been improper and the Senator offered his apologies. It was reported that Fensterwald since that occasion had gone out of his way to be helpful to the Bureau. A notation by former Inspector Gordon Neese on this memorandum, "The worm seems to have turned," prompted the Director to note "Either that or he fooled Nichols. H."

Fensterwald was born August 2, 1921, in Nashville, Tennessee; has a Bachelor of Science and Bachelor of Law degree from Harvard University and has studied at the School of Advanced International Studies, Washington, D. C., and at Cambridge University, Cambridge, England. During World War II he served as a lieutenant in the U. S. Navy and has been employed since then as an attorney for the Department of State and as Administrative Assistant and Chief Counsel to U. S. Senate Subcommittee on Constitutional Amendments and his present position with the Senate Subcommittee on Administrative Practice and Procedures.

[redacted]

Memorandum to Mr. Evans
Re: Bernard Fensterwald, Jr.

It is noted that in August, 1964, Fensterwald obtained Senator Eastland's approval for the distribution of an 11-page questionnaire relating to invasions of privacy. This questionnaire was designed to seek information from Government agencies concerning invasions of privacy by use of the telephone system, electronic devices, photographic equipment, polygraph equipment, mail covers, one-way glass and related matters. This inquiry is being handled by a subcommittee of the Senate Judiciary Committee of which Senator Eastland is Chairman.

Mr. DeLoach discussed this matter with Senator Eastland at the time the questionnaire was being prepared for distribution and ascertained from Senator Eastland that the Bureau was specifically exempt from this inquiry. In addition, Senator Eastland pointed out that he is in full control of the activities of the Senate subcommittee and that all actions of this subcommittee would necessarily have to be approved by him. As a result, he was able to give his assurances that the Bureau would not become involved in this inquiry.

ACTION

[redacted] will keep the Bureau currently informed of all pertinent developments concerning [redacted], and should the Bureau desire to make any suggestions in this regard, he will be most receptive to them. b6 b7C b7D

The Crime Records Division, which is cognizant of the Subcommittee's investigations, should be alert to any information indicating that the inquiry of the Subcommittee on Administrative Practice and Procedures is to be expanded and pointed at the FBI.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. DeLoach

DATE: 12-20-65

FROM : M. A. Jones

SUBJECT: "THE NATION" MAGAZINE
ARTICLE CONCERNING SENATE
COMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE
SENATOR EDWARD V. LONG (D - MO.)
CHAIRMAN, 12-20-65

The December 20, 1965, issue of "The Nation" magazine contains an article by Fred J. Cook entitled "Snoopers and Tappers--Law-Enforcement Underground" (attached).

This article is typical of the writings of Fred J. Cook and takes to task the Internal Revenue Service and the Post Office Department. He also refers to the testimony taken by Senator Long's Committee in Kansas City, Missouri, implicating the FBI in wire tapping in connection with gambling activities. He pointed out that although the Director of the FBI has insisted for years that it taps only in national security cases and then only on instructions from the Attorney General, it was revealed that the FBI had been tapping all over Kansas City in its drive on gamblers.

It is quite apparent from the article that Chief Counsel Bernard Fensterwald, Jr., of the Committee furnished Cook information for his article. Fensterwald is quoted several times in the article and his statements are typical of the utterances which he has made during the life of this Committee and certainly do no service to the United States. On one occasion, he is quoted as saying, "The thing that has impressed me most is the ease with which federal agents can lie under oath."

The article is typical of the material published in "The Nation" magazine and is nothing more than another attempt on the part of Fensterwald to degrade Federal law enforcement and gain publicity for himself. The character of Fensterwald certainly matches the character of "The Nation" magazine.

RECOMMENDATION: For information

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLB/dmg

Enclosure
1 - Mr. DeLoach
1 - Mr. Gale
1 - Mr. Rosen
1 - Mr. Sullivan

57 JAN 18 1966

77-44206-37

NOT RECO

TBC:smg (7)

Snoopers & Tappers

Law-Enforcement Underground . . . Fred J. Cook

In the office of Bernard Fensterwald, Jr., chief counsel for Sen. Edward V. Long's investigation into the invasion of privacy, there hangs a framed placard that was discovered by committee field men in the Bell Telephone Laboratories in New Jersey. On the left-hand side of this expressive poster there is the large replica of a telephone with dangling receiver (it has obviously just been lifted off the hook), and alongside runs this large-type injunction:

"Remember . . .
NO CLASSIFIED CONVERSATIONS."

When Bell Telephone finds it necessary to advise its employees to beware of its own most hallowed device, Big Brother has indeed moved into our lives. Just how various and unprincipled is that invasion Senator Long's investigation is steadily documenting. It is uncovering a world dedicated to the proposition that power provides its own justification.

Devotion to the theology of power is producing many weird manifestations. Fensterwald and Senator Long were shocked when the Secretary of the Treasury refused to let them question certain Internal Revenue agents. For the first time in history, as far as Fensterwald could determine, it became necessary for a Congressional committee to subpoena federal agents to get them to testify — and even then testimony at times flew in the face of truth. Almost every phase of the investigation has been marked by the obvious determination of government employees on the witness stand to uphold departmental policy and deeds at any cost. "The thing that has impressed me most," says Fensterwald, "is the ease with which federal agents can lie under oath."

The imperviousness of agents to any consideration except the demands made upon them by their bureaucratic superiors runs like a police-state theme song through the testimony of witness after witness. Senator Long points out that many revenue agents got permission, and sometimes the help of specialists, to install wire taps on the phones of suspects from the office of the deputy chief of Intelligence in the Internal Revenue Service.

Yet the deputy chief's records gave no indication of such activity. Asked why, the deputy chief replied, "if I had kept a record for any of my superiors, if I had asked them, they would have said, 'You know the regulations, *anybody who does this is on his own.*'" The deputy chief explained that his superiors knew the wire tapping was going on, that they even discussed it from time to time, "particularly when we got caught." Describing this testimony in *The Saturday Evening Post*, Senator Long commented: "What a remarkable code of conduct for 'devoted and courageous' law-enforcement officers —*go ahead and break the law, but don't get caught!*"

The police-state mentality that infects so many federal agents showed perhaps most clearly in the committee's Miami hearings. Questioning an IRS agent, Senator Long asked whether he would break a state law if ordered to do so by his superiors. Without hesitation, the agent answered, "Yes, sir." Didn't he realize, Long wanted to know, that the essence of a police state was for an officer to violate the law on the pretext of enforcing it? "That may be the basis of a police state; I do not know," the agent answered—and it was obvious to Senator Long that he didn't care. All that mattered was that his orders should be carried out.

This "super gung-ho attitude," as Fensterwald calls it, produces results with shocking overtones. In one Boston case, Jack Harris, an Internal Revenue Service undercover man, was indicted in a $1,500 bribery case and suspended. Enraged by what he claimed was a frame-up, he came to the committee and spilled a lot of details about investigations carried out by the Boston IRS office. His principal tale dealt with surveillance of one Bernard McGarry, a Milton, Mass., tavern owner.

As Harris later testified before the committee, McGarry had a hostile neighbor who made his barn available to the revenue sleuths. The agents set up a lookout station in the barn loft, and with snooper-

Fred J. Cook is the author of many important special articles for The Nation.

DECLASSIFIED BY INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

THE NATION MAGAZINE
DECEMBER 20, 1965
Page 496

ENCLOSURE

scopes and other long-range devices kept, the McGarry home under constant observation. According to Harris, they even watched Mrs. McGarry as she took a sun bath. The IRS agents had learned that the McGarrys had a large vault in the basement; and when they saw from the barn loft that the whole family was absent, Harris entered the house and padded downstairs to the vault.

Instead of a cache of illicit loot which the revenue boys had hoped to find, Harris discovered that the vault was unlocked and was being used for nothing more nefarious than the storage of the family's coats and fur pieces. He dutifully copied down the names of the clothiers and furriers on the labels and left the premises little wiser than he came.

He had, of course, fractured the law by this unauthorized entry into what is supposed to be a man's castle, and his account of the exploit threw IRS into a tizzy. Harris' boss at the time, Robert Ferrick, acknowledged that the McGarry home had been kept under observation from the barn loft—but only, he insisted, to read the license numbers of cars coming to the house, not to observe a lady sun-bathing. There had never, never been such an episode as the illegal entry and snooping Harris had described.

This was a head-on collision of testimony, and the committee never could determine the truth though there were some indications as to where it might lie. "There was one part of the undercover man's story that seemed to check out," Fensterwald says. "We learned that IRS had contacted the furriers and clothiers whose names appeared on the labels in an attempt to find out how much the McGarry family spent for clothing. And then there was one other thing. . . ." To wit:

Harris, in his testimony, had told the committee that, when he entered the McGarry home, another IRS agent had been stationed outside, patrolling the street in a radio car and keeping in constant two-way contact to guard against a surprise return home by the family. Fensterwald promptly demanded that the IRS produce this witness, John Crowe. The next day, the service complied, but Fensterwald was shocked by the appearance of the man when he was summoned to the stand.

"His face was flushed as if the blood was about to pop through the skin," Fensterwald recalls. "And as he testified, his head kept lolling back as if he was about to pass out on the witness stand. I made up my mind to get him off the stand as quickly as possible and so I asked him only the most essential questions."

Under these circumstances, Crowe promptly upheld his supervisor, Ferrick. Harris had been wrong, he said. No revenue agent had ever entered the McGarry home. Fensterwald was about to excuse this obviously ill witness when he received an anonymous note from the audience: "Ask him if he's under house arrest."

Fensterwald shakes his head at the recollection. "Well, one thing I've learned in this investigation," he says, "is not to disregard such tips—too many of them have panned out." So he turned back to the witness stand and demanded: "Are you under house arrest?" Crowe sat there silent, obviously stunned by the question.

"He was mute for a good half minute," Fensterwald recalls, "then he shook his head and muttered weakly, 'No, I wouldn't say so.' His manner clearly swore at the answer he gave and convinced me that he *was* under house arrest."

Not daring to cross-examine Crowe the way he would a healthy witness, Fensterwald excused him, but he determined to delve into this new aspect of the case. "We learned," he says, "that this man had been flown down to Washington under guard; he had been kept under guard in his hotel room; he had been conducted to the hearing under guard by a man who denied he was armed, but who exhibited a mighty suspicious bulge under his jacket."

After the hearing, Crowe tried on a couple of occasions to approach some of Fensterwald's investigators. "But he could never get the chance," Fensterwald says. "Every time he approached one of our people, the guard came up and broke it off."

Fensterwald protested to IRS about forcing a man so obviously ill to take the witness stand; he made it clear he wouldn't have called Crowe if he had known about his precarious physical condition. Oh, think nothing of it, IRS replied; Crowe wasn't seriously ill, he just had a little upset stomach. A few weeks later, Crowe died of a heart attack.

Everywhere Senator Long's committee has turned, it has come across the dinosaur tracks of Big Brother. Invasions of privacy, it has established, are legion and permit the average American almost no security of thought or communication. But to get the truth about such snooping and prying has often proved infinitely difficult. Take, for example, the behavior of the Post Office Department.

The committee was greatly interested in the process known as the "mail cover." Under the buddy-buddy system that exists among federal agencies, the Federal Bureau of Investigation or the Internal Revenue or any one of a half dozen other bureaus may ask the Post Office to keep watch on the mail of a suspect or of his family and associates, and the request will be honored on the supposition that the purpose, considering the source, is valid. In theory, the Post Office makes a record only of what appears on the *outside* of letters—details like the names and addresses of correspondents and the origin of the mail. Fugitives from justice are sometimes tracked in this way when they try to get in touch with relatives, and in such cases legitimate ends may be served. But even then, according to stated policy, the contents of the envelope are kept inviolate.

This picture of a scrupulous department zealously guarding our rights while it indulges in only the most necessary snooping against persons involved in actual crimes was fed to the committee on February 23, 1965, the day after George Washington's birthday, by Chief Postal Inspector Henry B. Montague. "The seal on a first-class piece of mail is sacred," Montague intoned in a carefully prepared statement. "When a person puts first-class postage on a piece of mail and seals it, he can be sure that the contents of that piece of mail are secure against illegal search and seizure. The only time first-class mail may be opened *in the postal service* is when it can neither be delivered as addressed nor returned to sender. Then, it is treated by trusted employees in the dead-letter office to determine whether it contains any information to establish ownership. . . . *Mail is neither delayed nor opened.* . . . Citizens must have confidence in their mail system or they lose it in other governmental institutions." (Italics added.)

Montague acknowledged that the postal form on which the details of the mail cover were recorded was to be destroyed after the deed was done, but he saw nothing wrong in that. Surveillance is a very secretive business, and you just naturally don't leave anything lying around that might indicate to the object of your attention that he has been watched. Fensterwald noted that the form also contained space for recording detail on second-, third- and fourth-class mail, all types that can be appropriately opened for postal inspection, and wondered if perhaps inspectors ever pried into such envelopes.

FENSTERWALD: *In the case of a mail cover do you ever examine mail which you legally have the right to examine?*

MONTAGUE: *No.*

FENSTERWALD: *You have every right to open second-, third- or fourth-class mail, don't you?*

MONTAGUE: *That is for postal inspection, yes.*

FENSTERWALD: *And never, in connection with a mail cover, do you open such mail?*

MONTAGUE: *Not in connection with a mail cover, no.*

The committee was suspicious, but on March 1, Postmaster General John A. Gronouski wrote Senator Long explicitly: "The mail is neither delayed nor opened, and the contents of first-class mail are *not* examined in connection with a mail cover." The Postmaster General italicized that "not."

By April 13, these positive and explicit assurances from the highest Post Office officials had acquired a decidedly tarnished look. On that date, Rep. Durward G. Hall, of Missouri, appeared before the committee and testified that first-class mail was indeed being opened. He had received a complaint from a constituent, the Congressman said; and though he couldn't believe it, he knew the complainant as a responsible individual. So he checked with both the Post Office Department and Internal Revenue. He was assured at first, as the committee had been assured, that no such thing could ever happen. Pinning the departments down to the one specific case, the Congressman asked them to put their denials in writing—and suddenly he encountered a strange shyness toward the printed word. It developed that there was, indeed, a procedure by which the sanctity of first-class mail was being violated. In cases where Internal Revenue had secured tax liens against defaulting taxpayers, first-class mail was being delivered by the Post Office to IRS and was being opened by IRS agents to see whether it contained assets or clues to assets. Just how widespread was this practice? Representative Hall discovered that no one seemed really to know. He testified:

The Post Office Department advises me that since December of 1962 there have been fourteen such seizures. The Internal Revenue Commissioner, on the other hand, advised me on Friday of last week that there had been thirty seizures since December of 1962 as far as their national office knows. . . . Nor is this the only conflict. Once the hand is caught in the cookie jar, the contradictions multiply.

On Friday of last week, four days after I advised the House of what was happening and moved for cor-

rective action on the annual appropriations bill, the Postmaster General is quoted as saying that he himself discovered the seizure of mail as long ago as last August, and he said he picked up the phone and agreed with Doug Dillon that it was a bad thing and we stopped it.

It is interesting to note that, first, the Postmaster General waited half a year to disclose this, and then only after someone else called attention to it.

But unexplained, and second, Mr. Chairman, is if the Postmaster General found out about this violation of the law as long ago as August of 1964, and ordered it stopped, how does it happen that the General Counsel advised me, in writing, that the last seizure, a specific instance, took place almost three months later on October 27, 1964?

And, one might feel impelled to ask, how did it happen that both Chief Inspector Montague and Postmaster General Gronouski were assuring Senator Long's committee, in the most explicit terms, in late February and early March, 1965, that first-class mail was always regarded as sacred and was *not* (the Postmaster General's italics) opened?

Chief Inspector Montague, who followed Representative Hall on the witness stand, had the unhappy task of trying to reconcile past pretenses with present disclosure. It went like this:

SENATOR LONG: *Let me ask you, Mr. Montague, you have known for some time, of course, that the Internal Revenue Service did levy on mail—first-class mail of the citizens were opened by people other than the addressee?*

MONTAGUE: *I know that there was such a thing—I was aware that there was such a thing as a levy on mail; yes, sir.*

SENATOR LONG: *How long have you been aware of that, Mr. Montague?*

MONTAGUE: *I think that I first became aware of it back in—I don't know, 1962 or 1963.*

SENATOR LONG: *Were you aware of that when you testified before our committee some weeks ago?*

MONTAGUE: It did not come to my mind, *but I did know there is such a thing as a mail levy, yes.* (Emphasis added.)

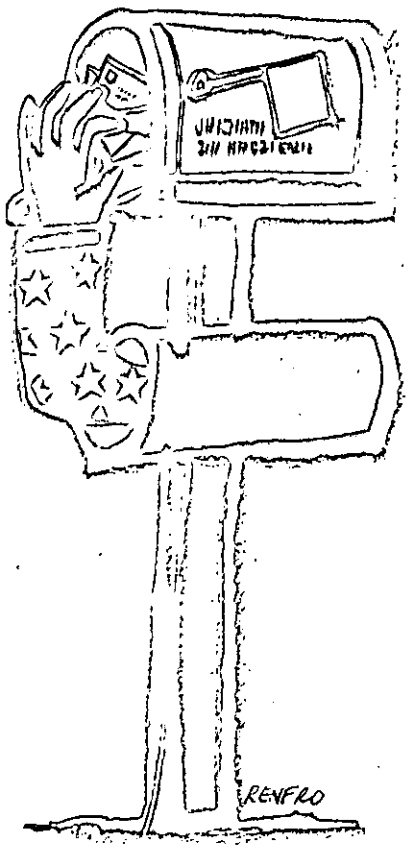
Montague conceded that the department knew of thirty-four cases in which mail had been opened and examined by Internal Revenue agents being forwarded to the recipient, but he argued that "levies" were different from the "mail [illegible] in his previous testimony; that the Post Office's legal brains had assured him levies were legal, not illegal, and he had been dealing in his testimony only with "illegal" practices. Senator Long, exasperated by what he called this quibbling with terms when the truth had been one thing and the initial pretense virtually the opposite, finally snapped: "The further we get into this investigation, the more I am impressed with the idea that the Post Office should deliver the mail and not pry into it."

Hardly anyone believed that the full story had been told or that the only mail being opened was that "levied" upon by Internal Revenue. Fensterwald's investigators privately developed quite a dossier on things that can happen to the mail—and presumably do. Penetrating solutions can be rubbed on the back of envelope flaps to loosen the gum and enable a snooper to open a letter without trace. One of the best methods, Fensterwald says, is still the old one of steaming open the flap. Another simple way of spying is to immerse a letter in a solution of cleaning fluid. This brings up the contents, but one must be careful not to wiggle the letter around in the solution lest the envelope become softened and messed up. A much more sophisticated method borrows a device from the medical laboratory, the cystoscope. Insert one end of this pencil-thin instrument under the flap of a letter, switch on the cystoscope's powerful light, and you are examining in great detail not the human bladder but the contents of "sacred" first-class mail.

How widely are these methods used? That question the committee has not yet answered and perhaps can never answer. Representative Hall testified that he had some information that the Post Office Department was tampering with mail other than that "levied" upon by Internal Revenue, but he had not yet been able to verify his information.

Verification is, of course, extremely difficult. One may see, as I have, first-class mail arriving at his home mysteriously unsealed—and third- or fourth-class mail showing up with flaps ripped apart, sometimes so badly that it seems likely some of the contents have been lost — but how is one going to *prove* that this was done deliberately by the snooper's paw? All that can be said is that a lot of detectives and knowledgeable persons in other walks of life today distrust the mails — and the patent evasions of the highest officials of the Post Office Department before Senator Long's committee did nothing to bolster confidence.

It must not be supposed that such activities are confined to the Post Office and the Bureau of Internal Revenue. No one has yet



compiled a definitive list of all the federal agencies engaged in prying into the private affairs of citizens, but even the skimpiest survey shows that it must be an unholy lot. What the military and such super-secret outfits as the Central Intelligence Agency are up to, no one knows, for they are all wrapped in the cocoon of national security. A former military intelligence agent has recently revealed on nation-wide television that the hotel rooms of Mrs. Eleanor Roosevelt were bugged every time she visited Chicago during World War II.

Mrs. Roosevelt maintained contact with a lot of labor and liberal leaders—and that, apparently, was

caper, he declared, "I had the ice order to run a connecting line into Kansas City FBI headquarters.

With the sanctity of telephone lines being violated at the merest nod of an official head, the inevitable has happened: a general impression has been fostered that there isn't anything much wrong with the game and that everybody might as well get into it. Private detectives in Kansas City joined in the wire tapping free-for-all and quickly learned that they could get all the information they needed by bribing telephone company employees. George W. Robinson, one of the local private eyes, told the Long committee frankly that he had tapped telephone lines, and said that he always got the necessary information about the number of the "pairs" and the location of the terminal box from a confederate inside the company.

FENSTERWALD: *Did you have to pay for them?*

ROBINSON: *I have.*

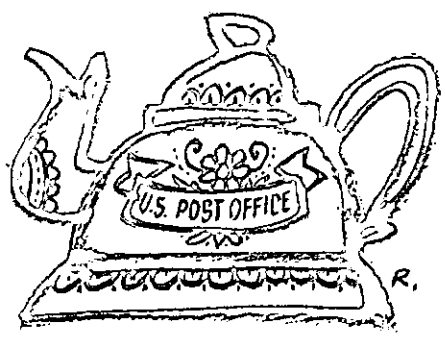
FENSTERWALD: *Could you tell me what the going rate is?*

ROBINSON: *In the vicinity of between $50 and $100; it all depends on the man's attitude when you make the contact.*

When the rampant wire tapping of Kansas City became known, the man on the spot was the telephone official who had authorized so much of it. He was Arthur S. Brewster, a lawyer and the division security supervisor for Southwestern Bell (his primary responsibility, as he himself described it, was to make certain of the security of company property and service, including the privacy of customers). He testified, however, that he had worked hand in glove with the FBI "ever since I have been in this job." Senator Long wanted to know if tapping didn't raise "some question about the invasion of privacy and the violation of the constitutional rights of any citizen that any agent might point his finger at." "I would assume that question could be raised," Brewster replied, almost primly.

The telephone company's man said that any time Chief of Detectives Newman or the FBI asked him to breach security, he cooperated, because he relied implicitly on their integrity. As for running special lines into FBI headquarters to facilitate the tapping, Brewster attempted to argue that this was a regular company service, advertised and available to all comers. Senator Long hopped on the rationalization. Then, he demanded, the company would provide such accommodations for private detectives, wouldn't it? Oh, no, said Brewster, obviously horrified. Why not? If this were a purely commercial transaction, why shouldn't it be sold to anyone who had cash in hand? Brewster protested that private detectives and other agencies "don't have the charge and the responsibility of the Bureau."

Long kept hammering away. Didn't this performance by the telephone company in permitting,



even helping, to tap its own lines raise "a great question of apprehension of your subscribers over the city as to whether their telephones are maybe being tapped or bugged?"

"Sure, it certainly does," Brewster replied.

The telephone company's security man then read into the record a long list of work orders he had approved dealing with the installation of special lines to facilitate the widespread FBI wire tapping.

SENATOR LONG: *Did your employees go with the FBI men when they were disguised as telephone company employees?*

BREWSTER: *I will put it this way. I think there were some Bureau men who went with the telephone company people.*

SENATOR LONG: *Disguised as telephone employees?*

BREWSTER: *They had on old clothes and those things. I think I loaned one of them a pair of —*

SENATOR LONG: *Mr. Brewster, this work is so dangerous and so disagreeable to your men that you have to ask for volunteers, don't you, to go out and handle this type of situation?*

BREWSTER: *I have never had to.*

SENATOR LONG: *I think Mr. Schmitt or Mr. [William] Hare* [two telephone employees who had previously testified] *could answer that question for me. Could either one of you gentlemen answer it for me?*

HARE: *Yes, sir.*

SENATOR LONG: *Thank you. It got so dangerous, they finally stopped volunteering.*

BREWSTER: *It might have been.*

The ethical dilemmas in which a telephone company official becomes involved when he makes the FBI his master were highlighted in a final, farcical exchange between Senator Long and Brewster. Long asked Brewster what happened when telephone subscribers became suspicious and asked the company to determine whether their phones were being tapped. Well, said Brewster, the company sent men out to check poles in the vicinity of the terminal box in question, and twice in the past year, as a matter of fact, they had discovered taps. Then it went like this:

SENATOR LONG: *You have found those. What did you do with the equipment that you found?*

BREWSTER: *Our instructions to our people are, who actually make the inspection, remove the equipment and give it to the customer and advise them to contact the law enforcing officers, preferably the FBI.* (Emphasis added.)

SENATOR LONG: *What would you have done if you got a call from the Acme Jobbing Company, I believe you said, down at 2512 McGee Street?* [This was one of the locations that Brewster had helped the FBI to tap.] *What would you have done if you had gotten a call that their line was being tapped?*

BREWSTER: *I don't know, to be frank with you.*

SENATOR LONG: *Would you have gone down to check it?*

BREWSTER: *I just don't know.*

This seems like an appropriate note on which to close this account of the world of Big Brother. Freedom can hardly endure, despite all the platitudes of stump-shouting politicians, unless people can *feel free* to exchange their private thoughts and indulge in uninhibited discussion. And who can *feel free* in a world in which government employees spy on a sun-bathing wife, snoop through mail, tap telephones, bug the most private areas of the home—and then, if it suits official purposes, take the witness stand and, superior to the law, blithely lie about it? The subterranean world that the Long committee investigation has been exposing is in irreconcilable conflict with the traditions of our past and is incalculably menacing to any continuance of a healthy democracy.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : MR. TOLSON

DATE: January 28, 1966

FROM : C. D. DeLoach

SUBJECT: SENATOR EDWARD V. LONG
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SP/dmj

The Attorney General's secretary called at 9:25 a. m. this morning and indicated that the Attorney General would appreciate me coming around to his office. After advising you and the Director, I went over to the Department.

The Attorney General asked me how I felt. I told him I was damned mad. He asked why. I mentioned that apparently Ed Guthman had steamed up his favorite hatchet man, [redacted] against the FBI once again. The Attorney General asked for the facts. I told him that [redacted] had called here twice yesterday and I had refused to talk to him. He then had called Mr. Wick's office without identifying himself and got Wick on the phone. He asked Wick several sarcastic questions about the identity of FBI representatives who had gone up on the Hill to see Senator Long. Wick told him nothing. I told the Attorney General we had learned that last night [redacted] had filed a story with his paper, the "Los Angeles Times," reflecting a lead, "Senate Subcommittee on Privacy backs away from FBI." I stated this was a deliberate attempt on the part of [redacted] to line up Senator Long against the FBI. I added that such a campaign could not help but force Senator Long to attempt to take action against the FBI.

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The Attorney General stated he thought I was wrong about Guthman initiating this move. He stated he knew precisely the identity of the individual who had leaked information to [redacted] He added that it was none other than Bernard Fensterwald, Senator Long's Chief Counsel. I asked him how he knew this. He stated he couldn't tell me, however, he knew this to be the truth. He then added that Fensterwald had been fired by the late Senator Kefauver for pulling the same stunts when he was Kefauver's chief counsel. I told the Attorney General that I could not agree with him. I mentioned that we were well aware of Fensterwald's propensities however we were also well aware of Guthman's connections. The Attorney General asked me if I meant Bobby Kennedy. I told him I most certainly did. He stated that Bobby would have nothing to gain from pulling such tricks. I told him that was one

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Continued on next page....

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Wick
1 - Mr. Mohr
1 - Mr. Gale
1 - Mr. Sullivan

77-44206 38

FEB 7 1966

FEB 4 1966

NIXON

CDD:amr (7)

point that we could not understand----why Bobby and Guthman would be attempting to embarrass the FBI with the full knowledge that such activities could lead right back to Bobby and his sponsorship and sanction of widespread usage of microphones throughout all investigative agencies of the Government. The Attorney General stated that Guthman was not responsible. I told him that I did not share that opinion.

The Attorney General stated that he was aware of the fact that we did not like Guthman. I told him it was not a matter of not liking someone but rather the matter of someone pulling dirty tricks on the FBI. The Attorney General made no comment.

The Attorney General indicated that he would see Senator Long at 11:00 a. m. this morning. He indicated that from his act of approving the Director's letter to Senator Long last week he felt that we had already seen the Senator. I told him this was correct. He stated that obviously our approach had been very successful. He mentioned that he would like to know what was said to Senator Long so that he could use the same approach this morning. I told the Attorney General that no specific "approach" had been used but that we had merely justified FBI actions in an honest, fair way. The Attorney General stated he would do the same. He said he had received the Director's memorandum concerning San Francisco activities and that he felt that facts contained therein would be of service to him. He asked me what I thought about leaving the Director's blind memorandum concerning leased line microphones on criminal activities in San Francisco with Senator Long. I told him I thought this would be a very bad idea. He stated that he would have trouble remembering all the facts. He thought, therefore, that he would just hand the memorandum to Senator Long and let him read it. He was told that there would appear to be no objection to this as long as he did not let Senator Long retain this memorandum. He stated he did not plan to leave it in Senator Long's hands. I did not tell the Attorney General that we had thoroughly gone over the same matter with Senator Long with respect to San Francisco.

The Attorney General indicated that he was going to try to sidetrack Senator Long into working on new legislation covering organized crime rather than continuing hearings regarding the invasion of privacy. I told the Attorney General that while this may seem logical it would appear that Senator McClellan rather controlled this field and Senator Long might feel he was being deprived of publicity important to himself. The Attorney General agreed and stated that regardless of what success he might have with Senator Long, the [redacted] story would probably kill everything anyhow. I stated that certain people should think of these things prior to initiating smear actions. This was the end of the conversation. b6 b7C

V.

~~CONFIDENTIAL~~

February 10, 1966

BY LIAISON

Honorable Marvin Watson
Special Assistant to the President
The White House
Washington, D. C.

Dear Mr. Watson:

Reference is made to the name check requests from Mrs. Stegall relative to some 1,300 individuals.

Attached are separate memoranda on each of the following individuals included in these name check requests:

[redacted]

Bernard Fensterwald, Jr.

[redacted]

[redacted]

b6
b7C

This letter of transmittal can be declassified when it is detached from the enclosure bearing a classification.

Sincerely yours,

1 - Mr. DeLoach - Encs. (20) - sent direct 1 - Mr. Rosen - Encs. (20)
1 - Mr. Gale - Encs. (20)
NOTE: To be delivered by liaison.
Enclosures (29)
JMM:jol (8)

~~CONFIDENTIAL~~

Delivered to Mildred Stegall on

DECLASSIFIED BY 5668 SLD/amy ON 8/5/94

MAIL ROOM ☐ TELETYPE UNIT ☐

1 77-44 ENCLOSURE 39
NOT RECORDED
170 FEB 15 1966
ENCLOSURE
57 FEB 24 1966

February 10, 1966

BERNARD FENSTERWALD, JR.

The above-mentioned individual was the subject of FBI investigations during 1949 and 1959, and attached is a copy of the summary memorandum which was prepared dated March 20, 1959. (77-44206-36)

The fingerprint files of the Identification Division of the FBI contain no arrest data identifiable with Mr. Fensterwald based upon background information submitted in connection with this name check request.

Enclosure

MAJ:jma

8/5/94 5668 SLD/dmj

Tolson
DeLoach
Mohr
Wick
Casper
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Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

77-44206-39

ENCLOSURE

4-22 (Rev. 1-22-60) #122

Federal Bureau of Investigation
Records Branch

_____, 19___

- ☐ Name Searching Unit - Room 6527
- ☐ Service Unit - Room 6524
- ☐ Forward to File Review
- ☐ Attention _____
- ☑ Return to Murphy 4230
  Supervisor Room Ext.

Type of References Requested:
- ☐ Regular Request (Analytical Search)
- ☐ All References (Subversive & Nonsubversive)
- ☐ Subversive References Only
- ☐ Nonsubversive References Only
- ☑ Main + Sum References Only

65 sees

Type of Search Requested:
- ☐ Restricted to Locality of _____
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations

Subject Bernard Fensterwald, Jr.
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 12-17 Searcher Initials CS

Prod. _____

DEC 30 1965

	FILE NUMBER	SERIAL
T	~~77-144986~~	
T	~~62-144989~~	
T	~~77-144986 34 Sum 5-30-39~~	
	~~-36 Sum 11-9-66~~	
T	62-9985-8-~~222~~, 245, ~~248~~, ~~185~~, ~~252~~	
T	~~62-35958-109~~	
T	62-9985-8-~~220~~, ~~207~~, ~~202~~, ~~200~~, ~~199~~, ~~198~~	
T	~~-197~~, ~~196~~, ~~243~~, ~~242~~, ~~241~~,	
T	~~-239~~,	
T	77-144986-4 DOC 3-15-65	
T	~~-20~~	
T	~~62-23533-8496~~	
	Mrs Bernard	
	~~45-50850~~	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 56085 SLD/dmj

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Conrad

FROM : A. J. Baker

DATE: March 1, 1966

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Gale
1 - Mr. Conrad
1 - Mr. Baker
1 - Mr. Swartz
1 - [redacted]

SUBJECT: TELEPHONE SECURITY CHECK
FOR SENATOR EDWARD LONG

b6
b7C

Assistant to the Director DeLoach received a request from Senator Edward Long for the Bureau to conduct a security check of his telephone lines at the New Senate Office Building and at his residence. Mr. DeLoach advised that the Director had approved doing this check for the Senator.

On 2/9/66 Electronics Section personnel completed a security check of the office of Senator Long, his secretary and the office of Bernard Fensterwald. This check included monitoring the radio frequency spectrum, a check of all telephone instruments, a physical search of accessible locations in these offices and an inspection of access points within telephone company controlled space. No evidence of tampering was observed.

At the time of this check, Senator Long advised that he would be out of town for several days but would let Mr. DeLoach know when he desired that a check be made of his residence telephone lines.

The results of the completion of the office part of this check on 2/9/66 were furnished to Mr. DeLoach in order that he could orally advise Senator Long.

On 3/1/66 Senator Long advised through [redacted] that he did not feel it was necessary to make a security check at his residence at this time. [redacted] stated the Senator is most appreciative of the check that was made of his office space and expressed his thanks for this service.

ORIGINAL FILED IN

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Accordingly, this completes our action in handling this request.

ACTION:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668SLD/dmj

62-44206-40

16 MAR 8 1966

NOT RECORDED

This is furnished for the information of Assistant to the Director DeLoach.

WEH:bwd (8)

57 MAR 14 1966

0-19 (Rev. 1-26-66)

Laws Fail To Prevent Snooping

A-10

The door closes as a secretary arrives for work. A tape recorder automatically clicks on, providing her boss with a record of everything that happens before he reaches the office.

Or your new hi-fi system with speakers throughout the house is converted, with a few minutes meddling, into a radio station that broadcasts goings-on in every room to any one within blocks who cares to tune in.

These are routine examples of a new million-dollar industry—electronic eavesdropping—and panelists at a D.C. Bar Association meeting last night agreed there is little lawyers can do at present to bring privacy invaders to book.

Eavesdroppers can plant their electronic bugs with relative immunity because of "this tremendous confusion of the law," according to one panelist, Samuel Dash, a former Philadelphia district attorney who wrote a book about the subject.

Another method of listening in, the actual tapping of telegraph or telephone wires, is a violation of Section 605 of Federal Communications regulations. However, said another speaker, Bernard Fensterwald, chief counselor for a Senate committee investigating wiretapping, there has been "virtually no enforcement." He said tappers include the Federal Government, state and local agencies and primarily, individuals and private detectives.

The first Federal controls on evasdropping — or the use of listening devices that do not require wires — go into effect April 8. They are "a step in the right direction," Fensterwald said, but they exempt law enforcement agencies and listening-in at public or semi-public premises.

Jack Richards, a private detective, closed the Junior Bar Night proceedings at the Mayflower. Armed with suitcases of commercially available eavesdropping paraphernalia, he ran through a few quick, chillingly simple bugging techniques.

53 MAR 25 1966

Tolson
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Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Baker

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

The Washington Post and Times Herald A-10
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

ORIGINAL FILED IN

77-4/4/206-A

NOT RECORDED
191 MAR 17 1966

MAR 9

file 7-Sue

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: May 2, 1966

FROM : Mr. J. A. Sizoo

CONFIDENTIAL

SUBJECT: SENATOR EDWARD V. LONG
Subcommittee on Administrative
Practice and Procedure

1 - Mr. DeLoach
1 - Mr. Mohr
1 - Mr. Wick
1 - Mr. Sullivan
1 - Mr. J. A. Sizoo
1 - Mr. T. J. Smith

Tolson
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On 5/2/66, Mr. Raymond A. Taggart telephonically advised Night Supervisor Thomas J. Smith, Domestic Intelligence Division, as follows: (U)

Taggart said that he was informed on 5/2/66, that he must meet with Bernard Fensterwald, General Counsel for Senator Long's Committee investigating wire taps, and that he feels sure the information set forth below is the matter Fensterwald wishes to discuss with him. He is to meet Fensterwald at 2:30 PM, 5/3/66. He will be able to give the facts related below. (U)

Taggart was a Bureau Agent from 1941 to 1951. For the past eight years he has been Security Officer for the Agency for International Development. Subsequent to his leaving the Bureau, Taggart was employed by one Bob Maheu, who operated a private investigations firm. During the time Taggart worked for Maheu, Maheu had a client, Stavros Niarchos, a very wealthy Greek shipping operator who also had vast oil interests. Because of a fight between Niarchos and Aristotle Onassis, another well-known Greek shipping figure who was also involved in oil, Niarchos desired a telephone tap on the lines in Onassis' office in New York City. Maheu was able to get this tap installed through John Frank, who received wide publicity because of his acting as a foreign agent for the Dominican Republic. (X)U

77-44206-41
NOT RECORDED
37 MAY 9 1966

According to Taggart, the Bureau interviewed him in about 1957 concerning his knowledge of John Frank and his activities as a foreign agent. He was also questioned at the time concerning his knowledge of the telephone tap on the office of Onassis. He said that although he was aware of the tap, and so informed the Bureau, he did not then, nor has ever found out who installed the tap, nor did he have any details concerning the matter. (X)U

JAS:chs
(7)

CLASS. & EXT. BY 50-16 SC-PLC
REASON - FCIM II 1-2, 4.2, 3
DATE OF REVIEW 5/2/86 CONTINUED -OVER-

1/4/80 Conf # 77-44206 CONFIDENTIAL

18 MAY 6 1966

INT. SEC. NINE

DECLASSIFIED BY 5168 SCP/AMG ON 8/5/94 PER FBI/DOJ LETTER 190-9532-PSIKY/35

ORIGINAL FILED IN

MEMORANDUM TO MR. SULLIVAN
RE: SENATOR EDWARD V. LONG

Taggart said that he desired that this information be brought to the attention of the Director inasmuch as he feels that his prior connection with the Bureau could be exploited by the Long Committee and that he feels a loyalty and obligation to tell the Bureau in advance that he will meet with Fensterwald. He said that he will keep the Bureau posted as to any developments concerning his meeting with Fensterwald. He said that the General Counsel for the Agency for International Development is meeting on the morning of 5/3/66, to discuss the position of that Agency in the event Taggart's connection with the Agency is brought out in any Long Committee hearing in the future. (U)

ACTION

For information. (U)

ADDENDUM: DOMESTIC INTELLIGENCE DIVISION 5-3-66 WLS:mh

A review of Taggart's personnel file indicates he entered on duty 4-28-41 as a messenger and was appointed Special Agent (cryptographer) 12-29-42. He served in the Laboratory Division until October, 1945, when he was assigned to the field. He was a Supervisor in the Domestic Intelligence Division from 8-1-50 to 4-7-51 when he voluntarily resigned because of financial pressures on him. The file also indicates that in 1954 Taggart advised he was associated with Robert A. Maheu, Associates, a private investigating organization. Maheu is also a former Agent and Maheu Associates has been a controversial organization. On one occasion extensive inquiry was made as to how that organization became aware of the contents of a Bureau SAC Letter. (U)

It is to be noted that on 9-30-58 Taggart's service record was furnished to International Cooperation Administration, the predecessor to Agency for International Development. Statement of character and service having been satisfactory, was not included. (U)

MEMORANDUM TO MR. SULLIVAN
RE: SENATOR EDWARD V. LONG

~~CONFIDENTIAL~~

The personnel file of John Joseph Frank indicates that he was employed as [illegible] on 7-[illegible]-40 and entered Agent's class on 7-[illegible]. He served in the Cleveland and New York Offices until [illegible] when he resigned. He has been the subject of a [illegible] Registration Act investigation and was involved in the 1962 case involving a "wiretap" located in a room in the Mayflower Hotel, Washington, D. C. A key witness hid out on his instructions and subsequently Frank plead guilty to harboring charge and received a sentence of six months in the U.S. District Court, Washington, D. C.

~~CONFIDENTIAL~~

FD-36 (Rev. 5-22-64)

FBI

Date: 5/11/66

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI

FROM: SAC, WFO (66-4070)

SENATE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE, COMMITTEE ON JUDICIARY, UNITED STATES SENATE, SENATOR EDWARD V. LONG, DEMOCRAT, MISSOURI - CHAIRMAN

On 5/10/66, JOHN W. LEON, Private Investigator, Washington, D. C., telephonically contacted SA [redacted], WFO, at his residence and stated that he had some information which he wanted to discuss with SA [redacted] prior to his appearance before the above captioned senate subcommittee.

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For your information, JOHN W. LEON was convicted along with former SAs JOHN J. FRANK and OLIVER ANGELONE, with regard to violation of the Federal Communication Act for placing a "bug" at the Mayflower Hotel. LEON received a suspended sentence in this case, but presently has the case on appeal before the United States Supreme Court. LEON formerly furnished information to WFO concerning former Police Chief ROBERT V. MURRAY, and this information was furnished to the Bureau by airtels dated 10/22/64, and 3/31/66, captioned "ROBERT V. MURRAY, FORMER CHIEF, MPD, WASHINGTON, D. C.; INFORMATION CONCERNING".

(3) - Bureau
1 - WFO
JPM:feh
(4)
AIRTEL

18 JUN 8 1966

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLP/pmj

ORIGIN FILED IN

62-44206-42

NOT RECORDED
102 JUN 6 1966

C: C. Wick

Approved: _____ Sent _____ M

Special Agent in Charge

57 JUN 21 1966

LEON stated that last week he had spent considerable time with BERNARD FENSTERWALD, Chief Counsel, [redacted] (phonetic) [redacted] for the above captioned senate subcommittee. He stated that he is scheduled to appear as a witness in opene hearings held by the subcommittee sometime in June, 1965. 66? He related that during his conversations with the committee staff members listed above, they informed him that they were not desirous of proceeding into government organization "wire-tapping," but were interested in "industrial espionage". LEON advised that he has been a Private Investigator in Washington, D. C., since 1948, and as such, has been aware of "wire-tapping" and "bugs" with regard to private companies. He related that he furnished all of the information in his possession to this committee sometime ago, but that apparently [redacted], had lost some of the material. He related that for this reason he was reinterviewed by FENSTERWALD, [redacted] (phonetic), and [redacted], with regard to his testimony. b6 b7C

LEON stated that in connection with his testimony, FENSTERWALD made the statement that he was furnishing information against all or about, ex-FBI Agents, and their work in the private investigative field. LEON stated that he furnished information to these men with regard to his knowledge of the operation of former SA ROBERT MAHUE Mahew and his association with HOWARD HUGHES. He stated that he also told the committee that former SA WILLIAM REDDEN (now deceased) had done some work for MAHUE in connection with HUGHES, but he did not elaborate on REDDEN's connection with MAHUE and HUGHES. In addition, LEON stated that he furnished information to the committee concerning the activities of former SAs JOHN J. FRANK and OLIVER ANGELONE, with regard to his knowledge of the "bug" and other activities at the Mayflower Hotel.

LEON stated that he also told the committee members about some work which he did with an individual (FNU) [redacted], whom he described as an expert wireman, who is presently under indictment in New York City for wiretapping. b6 b7C

LEON stated that during the 1960 Presidential Campaign, he helped service a "bug" installed by [redacted] on [redacted], [redacted], who at that time, was working for the Republican National Committee in Washington, D. C. He stated that while working with [redacted], [redacted] informed him that the "bug" had been ordered from the committee headquarters, but he did not elaborate as to who instructed him [redacted] to install the "bug". In addition, LEON stated that he furnished the subcommittee with information concerning a "bug" and "wiretap" of EDWARD RICKENBACKER in Washington, D. C., and DAVID J. MC DONALD, former President of the National Steelworkers Union. LEON stated that MC DONALD had a "bug" placed on his opponent I. W. ABEL, as well as ABEL's assistants and counsels.

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LEON advised that during his conversations with FENSTERWALD, he indicated to him that he intended to subpoena [redacted] ex-SAs JOHN J. FRANK, OLIVER ANGELONE, and ROBERT MAHUE. He also advised that the subcommittee intended to subpoena [redacted], whom he described as one of the foremost wireman in the country, and THOMAS LA VENIA, a former treasury agent, who is now a private investigator in Washington, D. C.

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LEON stated that during his conversation with FENSTERWALD, FENSTERWALD made the remark that he could only furnish information concerning former FBI Agents, and then laughed. LEON stated that he has become concerned regarding his testimony with regard to the activities of former Special Agents of the FBI, and wanted to know if it would be possible for him to talk with someone in authority who would give him the official position of the Bureau with regard to former Special Agents. He stated that he had the highest regard for the FBI, but felt that from his testimony it might indicate that he disliked the FBI, and was attempting to embarrass the organization. LEON reiterated that he had only the highest regard for the FBI, and stated that he wanted someone to tell him how he should testify with regard to the activities of former Special Agents.

LEON was informed by SA [redacted] that once an individual resigns, retires, or his otherwise separated from the FBI, he has no longer official connection with the Bureau. LEON was also advised that he should tell the truth in his testimony before the subcommittee, and that the FBI would not, and could not tell him how to testify with regard to his knowledge concerning the activities of former Special Agents, no longer connected with the Bureau. b6 b7C

LEON stated that he was fully aware and understood the FBI's position concerning former Special Agents who are presently engaged as private investigators, but felt that his testimony might lead people to believe that he was "anti-FBI". He added that he did not want to embarrass the FBI in his testimony, and added that he would tell the truth concerning his knowledge of the activities of former Special Agents in the "industrial espionage" field. LEON stated that no date had been set for the hearing, inasmuch as the subcommittee wished to get as much publicity as possible, but felt that they wanted to hold off for a while due to the present publicity concerning Senator THOMAS J. DODD of Connecticut.

WFO has experienced considerable difficulty in interviewing LEON, especially in detail, in order to document some of the information which he has furnished. LEON rambles from one subject to another, and it is almost impossible to pin him down as to any comment or point which he makes. For this reason, no effort was made to ascertain the the full details of LEON's testimony before the subcommittee, as it is felt that he will immediately contact BERNARD FENSTERWALD, Committee Chief Counsel, and inform him that the FBI had questioned him regarding his contemplated testimony before the subcommittee. UACB, no additional contact will be made with LEON and in the event he furnishes any additional information regarding the subcommittee hearings, the Bureau will be promptly advised.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1-Mr. DeLoach
1-Mr. Mohr
1-Mr. Callahan
1-Mr. Bishop
1-Mr. Sullivan
1-Mr. Rosen
1-Mr. Gale
1-Mr. Feeney
1-Mr. Cleveland

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : MR. TOLSON

DATE: 12/12/67

FROM : C. D. DE LOACH

SUBJECT: CREDIT BUREAU HEARINGS
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

I talked to Senator Ed Long at 5:45 p.m., 12/11/67, concerning his letter to the Director dated December 4, 1967.

Senator Long was told that the Director wanted to be of every possible assistance to him in revealing information regarding FBI contacts with credit unions and the manner in which such information was used. I stated that the Senator should realize, however, that his requests were somewhat impractical in that it would cause the FBI to pull several men off necessary work to compile the voluminous statistics that he had asked for. I stated that quite frankly the Congress had taken the FBI out of the applicant investigative business some years ago and that applicant inquiries now were normally based upon requests that we personally received from the President, who desires to ascertain the financial standing of those individuals who receive presidential appointments.

I stated also that there were, of course, a number of other cases in which we checked various credit unions, particularly with respect to ascertaining financial ability or in related type investigations. I told the Senator that our files were, of course, confidential in that such information, when obtained from credit unions, was released only to authorized persons reviewing these reports to determine whether or not an individual should be hired.

Senator Long told me that we should ignore his letter of December 4, 1967, and there would be no need for any reply whatsoever. He stated that the referenced letter to the Director was placed on his desk along with a number of other letters and he automatically signed it without giving much thought to it. He mentioned that his Chief Counsel, Bernard Fensterwald, was the individual who prepared the letter. He indicated he would tell Fensterwald to keep "hands off" the FBI. He added that he was thoroughly satisfied that our contacts with credit unions represented no invasion of privacy and there would be no need for further inquiries in this regard.

CONTINUED....OVER

53 JAN 10 1968

CDD:ahm
(10)

COPY SENT TO MR. TOLSON

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmg

ORIGINAL FILED IN

77-44206-43
NOT RECORDED
46 DEC 27 1967

DeLoach to Mr. Tolson
Re: Credit Bureau Hearings

I thanked the Senator and told him this, of course, would save us considerable time.

While talking with Senator Long, I told him that word had reached us through various sources that two of his staff members, Fensterwald and [redacted] had been in New Orleans, Louisiana, conducting investigations to determine the source of the information given to Life Magazine concerning him, Senator Long. I stated one source had told us that Fensterwald had made the remark, "The information given to Life must have come from a U. S. Attorney's office, the Department of Justice, or the FBI." b6 b7C

I told Senator Long that I felt this was most unfortunate inasmuch as I felt he well knew that the FBI had under no circumstances dealt with Life Magazine in this regard.

Senator Long told me that Fensterwald shot off his mouth too much and that he was also very much aware of the fact that the FBI had never given Life Magazine anything; furthermore, that the FBI was one of his closest friends. He stated that he felt the two articles in Life Magazine were "planted" by Bobby Kennedy inasmuch as Bobby completely controlled Ed Lambert who wrote the articles.

I told the Senator this was likely a very wise guess. The Senator thanked me for this call and stated that I should not hesitate to get in touch with him at any time for assistance.

ACTION:

For record purposes.

5010-106

UNITED STATES GOVERNMENT

Memorandum

Mr. DeLoach

DATE: 10/11/68

FROM: T. E. Bishop

SUBJECT: RICHARD GERSTEIN
DISTRICT ATTORNEY OF DADE COUNTY, FLORIDA
REQUEST FOR IDENTIFICATION RECORD

Synopsis:

On 10/11/68, Bernard Fensterwald, former Chief Counsel of Senator Edward Long's Subcommittee on Eavesdropping and who has never been friendly to the FBI, requested that we furnish him the arrest record on one [redacted] so that he could give this to Richard Gerstein for use in refuting a charge made by [redacted] to the effect that Gerstein accepted a bribe several years ago. Fensterwald was advised that Gerstein should make his request directly to FBI or through FBI channels and also that identification records can be furnished by FBI for official purposes only. Fensterwald admitted that Gerstein's proposed use of the identification record probably would not be in connection with an official matter of the Dade County District Attorney's Office. ASAC Fox of Miami Office was advised of above and stated today's "Miami Herald" carried story to the effect that Gerstein's Republican opponent for District Attorney's position made public a sworn statement from one [redacted] to effect that Gerstein solicited and accepted $1500 bribe in 1960 from one [redacted] of Miami. ASAC Fox was advised that should Gerstein contact Miami Office it should be determined if request is for official purposes or merely political purposes. If latter, Gerstein should be advised record could not be furnished to him but if request appears to be for official purposes, Gerstein's request should be forwarded by Miami Office to Bureau.

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ORIGINAL FILED

62-44206 -
NOT RECORDED
191 OCT 29 1968

RECOMMENDATION:

None. For information.

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Gale
1 - Mr. Trotter

(DETAILS - page 2)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/15/94 BY 5068 STP/dmj

SEP 1 0 NOV 12 1968
(6)

T. E. Bishop to DeLoach
Re: RICHARD GERSTEIN

Details:

At 4:30 p.m., 10/11/68, Bernard Fensterwald, who is in the office of Senator Edward Long of Missouri and who was formerly Chief Counsel of Long's Subcommittee on Eavesdropping and who has never been a friend of the FBI, telephoned me. He said that Richard Gerstein, the District Attorney of Dade County, Florida, had asked him to secure from the FBI for Gerstein any arrest record the FBI might have on one [redacted] so that Gerstein can use the record in refuting a charge [redacted] has made to the effect that Gerstein accepted a bribe several years ago. Fensterwald stated that the charge concerning the bribe is contained in a story in today's "Miami Herald" newspaper. I pointed out to Fensterwald that I was surprised that Mr. Gerstein had not made his request directly to the FBI or through FBI channels, and also advised Fensterwald that identification records of the FBI can be used by law enforcement agencies only for official purposes. Fensterwald admitted that Gerstein's proposed use of the identification record probably would not be in connection with an official matter of the Dade County District Attorney's Office. I told him that under these circumstances we would prefer that Gerstein contact the Miami Office, fully explain what he wished to use the identification record for and make his request to that office. He was told that if the record was desired for purposes under which it would be proper to furnish it to him, the Miami Office would transmit his request to the Bureau but that, if it were not for the proper purpose, we would not be able to accede to the request. Fensterwald was quite unhappy with this information and hinted very openly that Gerstein had done favors for Senator Long and other Senators and that Fensterwald was considering having "pressure" put on the FBI through these Senators to secure the record.

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I immediately contacted ASAC Fox of the Miami Office who stated that Gerstein is engaged in a very hot battle for re-election as District Attorney of Dade County and many charges and counter-charges are being exchanged between him and his opponent, [redacted], a Republican. In today's "Miami Herald" there is a story to the effect that [redacted] made public a sworn statement from one [redacted] to the effect that in 1960 Gerstein solicited and accepted a $1500 bribe from one [redacted]. I told Fox that, should Miami Office be contacted by Gerstein, he should carefully determine if the request for the identification record of [redacted] is for official purposes or is merely for political purposes. I told him that, if it is for the latter he should explain to Gerstein that the record could not be furnished to him and that, in the event it appeared to be for official purposes, that Gerstein's request should be forwarded by the Miami Office to the Bureau.

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b7C

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. DeLoach

DATE: January 14, 1969

FROM : A. Rosen

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bishop
1 - Mr. Sullivan

SUBJECT: BERNARD FENSTERWALD
EXECUTIVE DIRECTOR
NATIONAL COMMITTEE
TO INVESTIGATE ASSASSINATIONS

Fensterwald appeared as a guest on a radio program called, "Sunday Dialogue" featured by radio station WAVA 1/12/69. This was a two-hour show. The first hour Fensterwald was interviewed by the narrator regarding the purpose of the National Committee to Investigate Assassinations and the second hour was answering questions telephonically from the inquiring public.

Fensterwald stated that the Warren Commission report is a "fairy story" and that it is false and one of the biggest "snow jobs" ever done. He said the Committee's office will be located at 927 15th Street, Northwest, Washington, D. C., telephone number 347-3837.

Fensterwald mentioned at present he has no staff but does have a Board of Directors which include Jim Garrison, New Orleans District Attorney, [redacted], b6 b7C Fred J. Cook, Paris Flammonde, author and others. He hopes to build an investigative staff through funds obtained from private sources and donations. Thereafter, the staff will conduct necessary investigation into the assassinations of President John Fitzgerald Kennedy, Martin Luther King, and Robert F. Kennedy.

Fensterwald intends to link forces with various individuals around the country namely Jim Garrison, Harold Weisberg, [redacted] and others to form an organization so that a large pool of information relating to the assassinations will be available. b6 b7C

When this information becomes available, it is Fensterwald's intention to force, persuade or embarrass the Government to appoint a new Commission or for Congress to reopen the investigation concerning the assassination of President Kennedy. He contends the truth will come out.

KMR:sds
(8)

1 ENCLOSURE

File unit (copy recording) with name can be used in the future.

6 - KMR

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5468 SDS/dmy

ORIGINAL FILED IN

77-44206-44
NOT RECORDED
12 JAN 28 1969
46 JAN 28 1969

54 FEB 12 1969

Memo Rosen to DeLoach
RE: BERNARD FENSTERWALD

Fensterwald stated he believed there was a definite conspiracy involved in the assassination of President Kennedy and that there was more than one assassin involved. He indicated he doubts very much the Warren Commission's statement that there was no conspiracy involved in the assassination of President Kennedy. Fensterwald wants to have the photographs of President Kennedy's autopsy, currently in the Archives, made available as he believes with others of the group with whom he has become aligned, that shots which were responsible for President Kennedy's death came from the front, rather than from the rear.

Fensterwald briefly discussed his background as being associated with Senator Long's committee on wire tapping and had been involved in investigating the Internal Revenue Service and the Department of Justice. He was asked by the narrator if he intended to investigate the FBI. Fensterwald said he was not "doing an investigation of the FBI as such," however, will have the advantage of having [redacted] on the Board of Directors as well as Fred J. Cook, who are knowledgeable about the activities of the FBI and other Government agencies. Fensterwald mentioned Paris Flammonde, whom he described as an author who recently wrote the book "Why President Kennedy Was Killed." Flammonde takes the position in this book that there was a conspiracy involved and analyzes the possibilities of who were involved. b6 b7C

Comments made by Fensterwald regarding the investigation of President Kennedy conducted by the Warren Commission readily revealed that he was not familiar with the full facts or the information contained in the Commission's report. Further he has aligned himself with individuals whom we know to be severe critics of the Warren Commission, the FBI, the CIA and other Government agencies.

He indicated another purpose he has is "to restore some sense of integrity to our Government," as an unsolved murder of a President casts doubt on the Government. Therefore, he will make efforts to bring an honest investigation "by our Government" into the assassination of President Kennedy.

From comments made by Fensterwald and because of the known background of the individuals with whom he is associating, it can be anticipated this group will undoubtedly make unwarranted attacks against the FBI in the future.

ACTION:

This is submitted for information.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

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Tele. Room
Holmes
Gandy

TO : Mr. Bishop

DATE: 1-6-69

FROM : M. A. Jones

SUBJECT: NATIONAL COMMITTEE TO INVESTIGATE ASSASSINATIONS

SYNOPSIS:

UPI release of 1-3-69 announced the formation of National Committee to Investigate Assassinations. Board members of the committee include Bernard Fensterwald; Jim Garrison, New Orleans District Attorney; [redacted] Fred J. Cook, author; [redacted]; Lloyd Tupling, Washington, D. C.; and Paris Flammonde, author of a book on assassinations, soon to be released. The Director has asked for a memorandum on Fensterwald, [redacted] Tupling and Flammonde. b6 b7C

Fensterwald, former Chief Counsel to Senator Long's committee on wiretapping was subject of applicant-type inquiries conducted by Bureau in 1949 and 1959. The names of Fensterwald's mother and sister appeared on a list of delegates and members in 1942 of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities. While employed by the State Department in 1956, Fensterwald and his mother traveled to the Soviet Union.

We have had considerable contact with Fensterwald over the past four years as Chief Counsel of the United States Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (the Long committee). In these contacts Fensterwald has clearly shown he is unscrupulous, untrustworthy and anti-FBI. He frequently sought to involve the FBI in wiretapping probes by Long's committee and in January, 1966, in connection with hearings in San Francisco Fensterwald indicated that [redacted] would be one of the witnesses he intended to call in connection with FBI wiretapping. Mr. DeLoach briefed Fensterwald and Senator Long as to [redacted] unsavory background. [redacted] is another board member of the assassination committee. b6 b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SUD/dmg

ENCLOSURE

MCT-33

62 112097

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Rosen

REC-97 97-44206-46

NOT RECORDED

46 JAN 31 1969

ORIGINAL FILED IN 62-112097

SYNOPSIS - CONTINUED OVER

MM:cmj
(9)

53 FEB 2 41969

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

In December, 1965, it was obvious that Fensterwald had sent information to Fred Cook, longtime FBI critic, for article in "The Nation" by Cook dealing with wiretapping by Government agencies. Cook quoted Fensterwald as stating, "The thing that has impressed me most is the ease with which Federal agents can lie under oath."

Mr. DeLoach maintained close personal liaison with Senator Long regarding his committee hearings and it was necessary on occasion to contact him regarding letters written over Long's signature to the Bureau requesting certain information. One such instance was in December, 1967, regarding FBI contacts with credit unions. Long stated we should ignore the letter and he would instruct Fensterwald to "keep hands off" the FBI. On same occasion Senator Long advised Mr. DeLoach that Fensterwald had "shot off his mouth too much" in connection with two articles in "Life" magazine dealing with Senator Long which allegedly had been "planted" by Bobby Kennedy.

Fensterwald, who will be Executive Director of assassination committee, left his post as Chief Counsel for the Long committee last month, apparently when Long resigned as Senator in order to give his successor seniority when the present Senate went into session.

No information in Bufiles concerning Paris Flammonde.

No pertinent information in Bufiles concerning Lloyd Tupling who may be identical with individual who was on staff of Senator Richard L. Neuberger in 1954.

[redacted] may be identical with [redacted]

[redacted] b6 b7C

From the above lineup, including Garrison and [redacted], it is obvious that we can expect anti-FBI sentiments from such a group. b6 b7C

RECOMMENDATION:

For information.

DETAILS - CONTINUED OVER

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

DETAILS:

A UPI release on January 3, 1969, announced the formation of a new National Committee to Investigate Assassinations. According to Bernard Fensterwald, 47, of Arlington, Virginia, a board member, the committee's purpose is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963." According to Fensterwald, the committee will concentrate on the assassinations of President Kennedy, Senator Robert Kennedy and Dr. Martin Luther King. In addition to Fensterwald, other members were identified as Jim Garrison, New Orleans District Attorney; [redacted]; Fred J. Cook, author; [redacted] Lloyd Tupling, associated with the Sierra Club, Washington, D. C.; and Paris Flammonde, a New York writer who is the author of a book on assassinations, which is soon to be released. b6 b7C

The Director has asked for a memorandum on Fensterwald, [redacted] Tupling and Flammonde. b6 b7C

Bernard Fensterwald: Fensterwald was born on August 2, 1921, at Nashville, Tennessee. He received the B. S. degree from Harvard College in 1942 and the LL. B. degree from Harvard Law School in 1949. He received the M. A. degree in 1950 from the School of Advanced International Studies, Washington, D. C.

Fensterwald was the subject of applicant-type inquiries conducted by the Bureau in 1949 and 1959. While generally favorable, the names of Mr. Fensterwald's mother and sister appeared on a list of delegates and members of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities, at a meeting held on April 19-21, 1942, at Nashville, Tennessee. Fensterwald and his mother traveled to the Soviet Union in June, 1956, for a three-week vacation visit. At that time, Fensterwald was employed as a lawyer by the United States Department of State.

Fensterwald has been employed on the staffs of a number of Senate committees. In 1953 Fensterwald was employed by the Senate Subcommittee on Constitutional Rights (Henning Committee) and was involved in

DETAILS - CONTINUED OVER

a request to the Bureau from this subcommittee for a list of instances wherein we had furnished information to members of Congress. Senator Henning subsequently advised the Bureau that Fensterwald's requests to the Bureau had been improper. Over the past four years we have had considerable contact with Bernard Fensterwald as Chief Counsel of the United States Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (the Long Committee). In these contacts with Fensterwald it was clearly evident he was unscrupulous, untrustworthy and anti-FBI. He frequently endeavored to draw the FBI into conflicts around the country by his requests of various telephone companies and other sources who might possibly have information of wiretaps and other technical surveillances by the FBI. In January, 1966, in connection with Fensterwald's hearings in San Francisco he indicated that [redacted] would be one of the witnesses he intended to call in connection with the extent of FBI wiretapping. Mr. DeLoach briefed Fensterwald and Senator Long who was present at the time of the discussion with Fensterwald as to [redacted] unsavory background. Fensterwald indicated he would take a second look at [redacted] in view of the information furnished by Mr. DeLoach. ([redacted] is reportedly another board member of the assassination committee)

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"The Nation" magazine in December, 1965, carried an article by Fred J. Cook dealing with wiretapping by Government agencies, including the FBI. It was obvious Cook, a longtime FBI critic, had obtained the information for his article from Fensterwald whom he quoted several times. Typical of many of Fensterwald's utterances in connection with his assignment as Chief Counsel of Senator Long's committee was the statement, in "The Nation" magazine article, "The thing that has impressed me most is the ease with which Federal agents can lie under oath."

Mr. DeLoach maintained close personal liaison with Senator Long concerning the work of the FBI as it might pertain to inquiries conducted by his committee. On occasions letters directed to the FBI requesting certain information were handled orally by Mr. DeLoach with Senator Long who indicated that Fensterwald had prepared the letters. One such instance was in December, 1967, in connection with FBI contacts with credit unions. On that occasion, Senator Long stated we should ignore the letter and he would instruct Fensterwald to "keep hands off" the FBI. On the same occasion

DETAILS - CONTINUED OVER

Senator Long told Mr. DeLoach that Fensterwald has "shot off his mouth too much" in connection with two articles in "Life" magazine dealing with Senator Long which allegedly had been "planted" by Bobby Kennedy. According to the "Washington Post" of 1-3-69, Fensterwald will be the Executive Director of captioned committee. It is noted he left his post as Chief Counsel for the Long committee approximately a week ago, apparently when Long resigned as Senator in order to give his successor seniority when the present Senate went into session. (77-44206)

Paris Flammonde: Bureau files contain no information identifiable with Paris Flammonde.

Lloyd Tupling: During 1954, W. Lloyd Tupling was appointed the Information Officer of the staff of Richard L. Neuberger, Democratic Senator of Oregon. One Lloyd Tupling, University News Bureau, Eugene, Oregon, was listed as a member of the "Society of America's Friends of the Mexican People" as of 8-13-38. This group is no longer in existence and was not investigated by the FBI, although indications were that the group was sympathetic to the communist cause. During May, 1950, one Lloyd Tupling was the publisher of "The State-Wide Newspaper," a weekly published in Boise, Idaho. (100-179915-23)

[redacted]

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A review was made of books written by critics of the Warren Commission to determine if [redacted] might have collaborated with them. In Josiah Thompson's book, "Six Seconds in Dallas," he acknowledges assistance from one [redacted] not further identified. Sylvia Meagher, author of "Accessories After the Fact," a severe critique of the Warren Commission,

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b7C

DETAILS - CONTINUED OVER

FBI, CIA, Secret Service, and Dallas Police Department, acknowledges the assistance of [redacted] stating, "I am grateful to [redacted] for making available a list compiled by him of photographs and films which seem to have been overlooked entirely by the Warren Commission and these investigative agencies." b6 b7C

[redacted] wrote us on 7-9-68 along the same vein he had written [redacted], indicating he had important photographs of the assassination which should be reviewed by us, and also enclosed a research monograph relating to the assassination of President Kennedy. By letter of 7-18-68, we advised [redacted] that the information in his monograph, as well as the photographs, were previously furnished the Bureau by the office of former Senator Robert F. Kennedy. Our files reveal no additional pertinent data concerning [redacted]. (62-109060-6520) b6 b7C

0-20 (Rev. 7-27-67)

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

UPI-108
(JFK)
WASHINGTON--NEW ORLEANS DISTRICT ATTORNEY JIM GARRISON IS ONE OF SEVEN BOARD MEMBERS OF A NEW NATIONAL COMMITTEE TO INVESTIGATE ASSASSINATIONS WHICH IS BEING FORMED HERE.

BERNARD FENSTERWALD, 47, OF ARLINGTON, VA., ANOTHER BOARD MEMBER, SAID THE COMMITTEE'S PURPOSE IS "TO EMBARRASS OR FORCE THE GOVERNMENT TO MAKE INVESTIGATIONS THEY HAVE BEEN PUTTING OFF SINCE NOV. 22, 1963."

THAT WAS THE DATE OF PRESIDENT KENNEDY'S ASSASSINATION IN DALLAS.

FENSTERWALD, WHO SAID HE WAS SETTING UP AN OFFICE WHICH WOULD OPEN IN A WEEK, LEFT THE SENATE EARLIER THIS WEEK AFTER 12 YEARS AS COUNSEL FOR SEVERAL COMMITTEES.

"THE COMMITTEE WILL CONCENTRATE ON THE THREE BEST KNOWN ASSASSINATIONS -- PRESIDENT KENNEDY, SENATOR ROBERT KENNEDY AND DR. MARTIN LUTHER KING -- BUT WILL LEAVE ITS OPTIONS OPEN ON SOME OTHER RATHER MYSTERIOUS DEATHS," HE SAID.

"OUR POSITION IS THERE WAS A CONSPIRACY IN DALLAS, THERE WERE STRONG FOOTPRINTS OF A CONSPIRACY IN MEMPHIS WHERE DR. KING WAS SHOT AND NOBODY REALLY KNOWS MUCH ABOUT WHAT WENT ON IN LOS ANGELES (WHERE SENATOR KENNEDY WAS SLAIN) BUT WE INTEND TO LOOK."

HE SAID THE COMMITTEE HOPED TO FIND PRIVATE FINANCIAL SUPPORT TO HIRE A PROFESSIONAL STAFF FOR ITS INVESTIGATIONS.

OTHER BOARD MEMBERS, SAID FENSTERWALD, INCLUDE [redacted] FRED J. COOK, ENGLEWOOD, N.J., AUTHOR; LLOYD [redacted], ASSOCIATED WITH THE SIERRA CLUB HERE, AND PARIS FLAMMONDE, A NEW YORK WRITER WHO WILL HAVE A BOOK OUT NEXT WEEK ON ASSASSINATIONS.

EIGHT MORE BOARD MEMBERS WILL BE NAMED LATER, FENSTERWALD SAID.

1/3--GE158P

ENCLOSURE
62-112647-46
NOT RECORDED
46 JAN 31 1969

ORIGINAL FILED IN 62-112647-1

b6
b7C

[redacted] b6 b7C

62-112097

JAN 27 1969

WASHINGTON CAPITAL NEWS SERVICE

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. DeLoach

DATE: 6/15/70

FROM : A. Rosen

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Scatterday
1 - Mr. McGowan
1 - Mr. Bishop

SUBJECT: BERNARD FENSTERWALD, JR.
NAME CHECK REQUEST

Special Agent in Charge of the Memphis Office, in connection with the James Earl Ray case, has requested a name check on Fensterwald, who is the head of a private group called "The Committee to Investigate Assassinations." This request is on behalf of [redacted], b6 b7C the state prosecutor assigned to the Ray case, who had asked for information concerning Fensterwald.

Fensterwald, former chief counsel to Senator Long's committee on wiretapping, was the subject of applicant-type investigations by the Bureau in 1949 and 1959, which developed that the names of his mother and sister appeared on a list of delegates and members in 1942 of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities, and in 1956, while employed by the State Department, Fensterwald and his mother traveled to the Soviet Union for a vacation. No other derogatory data was developed. Fensterwald, in addition to his former State Department employment, was chief counsel of the U.S. Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (Long Committee), and our contacts with him clearly showed he was unscrupulous, untrustworthy and anti-FBI and sought to involve the Bureau in wiretapping probes by Long's Committee. He allegedly leaked information to Fred Cook, long-time FBI critic, for an article by Cook which appeared in "The Nation," dealing with wiretapping by Government agencies.

A United Press International release in January, 1969, reported on the founding of the new committee to investigate assassinations, stating that Fensterwald was one of the members thereof together with District Attorney James Garrison of New Orleans, and [redacted] and extremely anti-FBI). b6 b7C Fensterwald was quoted as stating the purpose of the committee is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963," and indicated the committee's position was that there was a conspiracy in Dallas in connection with the assassination of President Kennedy and that there were "strong footprints" of a conspiracy in connection with the shooting of Dr. Martin Luther King.

CONTINUED - OVER

5/5 JUN 24 1970

REC 16 77-44206-47

EX 110

JUN 17 1970

JUN 19 1970

HS:cs (7)

Enc. sent 6-16-70

NAME CHECK

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY SP6/BSD/dmg

RECORDED COPY FILED IN

Memo to Mr. DeLoach
Re: Bernard Fensterwald, Jr.

The attached letter to Memphis sets forth brief biographical data concerning Fensterwald and his employments, together with the data developed during the investigations concerning his mother and sister as well as his trip to the Soviet Union in 1956, which it is believed the Special Agent in Charge, Memphis, should orally furnish to [redacted]. b6 b7C

For his own information and guidance, the letter furnishes Memphis information concerning Fensterwald's anti-FBI attitude and his association with [redacted]. b6 b7C

RECOMMENDATION:

That the attached letter, if approved, be forwarded to Special Agent in Charge, Memphis.

OK

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Felt
Campbell
Rosen
[illegible]
[illegible], E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Walkart
Walters
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. Bishop

DATE: 4-28-72

FROM : M. A. Jones

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - RUSSIA - CUBA
REQUEST FOR ACCESS TO FBI RECORDS -
CONGRESSMAN RICHARD H. ICHORD (D-MO.)

Reference memorandum of 4-10-72 from Mr. Branigan to Mr. Miller wherein it was recommended and approved that contact be made with Congressman Richard Ichord (D-Mo.) or appropriate members of his staff to determine his need for three specific documents relating to Bureau sources and operations which the Congressman had requested from Archives along with a number of other documents from the President's Commission on the Assassination of President John F. Kennedy.

This matter was first discussed by Inspector Bowers with Donald Sanders, Chief Counsel of the House Committee on Internal Security of which Congressman Ichord is Chairman, on 4-12-72. Sanders, a former Special Agent with whom we enjoy an excellent relationship, advised he was aware of Congressman Ichord's request for certain Warren Commission documents from the Archives, although he had not handled this matter. He stated the request had been handled by [redacted], a new Assistant in the Congressman's office. Sanders said he understands the request was made for an individual whose name he believed to be Fensterwald. Sanders was asked if this might be Benard Fensterwald, former Chief Counsel of the Senate Subcommittee on Administrative Practices and Procedures when it was Chaired by Senator Edward Long (D-Mo.) and who is now head of an organization he founded known as the National Committee to Investigate Assassinations. Sanders stated he was not sure but added this would appear to be a reasonable assumption. Sanders was briefly advised of Fensterwald's unsavory background and the fact that his National Committee to Investigate Assassinations includes other unscrupulous individuals such as Jim Garrison, New Orleans District Attorney; [redacted]; and Fred J. Cook, notorious left wing writer and severe critic of the FBI. Sanders expressed concern that Congressman Ichord might have inadvertently become involved with such a crowd.

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ORIGINAL FILED IN

1 - Mr. Mohr
1 - Mr. Rosen
1 - Mr. Bishop
1 - Mr. Miller
1 - Mr. Branigan
1 - Mr. M. A. Jones
1 - Mr. Bowers

62-44206-48
NOT RECORDED
MAY 10 1972

DWB:kjs (8)

CONTINUED - OVER

59 MAY 15 1972

MAY 10 1972

M. A. Jones to Bishop Memo
RE: LEE HARVEY OSWALD

On 4-13-72 Bowers called at the office of Congressman Ichord to speak with [redacted], concerning this matter. Moments after Bowers arrived in the office Benard Fensterwald entered and conversation with the receptionist indicated he had an appointment with [redacted] and also hoped to see the Congressman. Fensterwald did not recognize Bowers although they had several contacts while Fensterwald was employed by the Senate Subcommittee. b6 b7C

The matter of the Congressman's request for the Warren Commission documents was discussed with [redacted] on 4-13-72 and he implied the Congressman wanted these documents in connection with his position as Chairman of the House Committee on Internal Security. He asked if it might be possible for him to review the classified documents and furnish the Congressman a summary to relieve the Congressman of the time-consuming task of having to personally review lengthy documents. [redacted] was advised that under the circumstances it was felt the matter should be discussed personally with Congressman Ichord. [redacted] stated that while the Congressman was then in the office he had a full schedule for the afternoon and indicated he would set an appointment for Bowers to discuss this matter with the Congressman in the near future. b6 b7C

Since that time, [redacted] has been contacted on several occasions concerning the need for an appointment to resolve this matter with the Congressman, and [redacted] has indicated he has been unable to arrange for an appointment. On 4-26-72 Sanders advised he had discussed this matter briefly with Congressman Ichord and told him of Bowers' desire to see him as soon as possible to get the matter resolved. Sanders stated the Congressman remarked that he also has pending a request from CIA for an appointment on the same matter and indicated he would discuss the matter with [redacted] to arrange appointments in the near future. No further word has been heard from [redacted] regarding an appointment. b6 b7C

Our relations with Congressman Ichord are excellent. It seems apparent he has been brought into this matter by [redacted] and that the documents really are wanted for Fensterwald who has publicly stated that the purpose of his National Committee to Investigate Assassinations is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963." Undoubtedly, Congressman Ichord is not aware of Fensterwald's unsavory background or of the identities of others affiliated with him in the National Committee to Investigate Assassinations. He will be briefed in confidence concerning these individuals when an appointment is arranged with him regarding this matter. b6 b7C

RECOMMENDATION:

For information.

WGC
DWB
TCB
PLM

Memorandum

FEDERAL GOVERNMENT

Subject	Date
Request to Conduct an Expedite Background Investigation re: Bernard Fensterwald, Jr.	MAY 18 1984

To

Lloyd E. Dean
Security Programs Manager
Federal Bureau of Investigation

From

D. Jerry Rubino
Department Security Officer

Attached please find investigative forms (excluding fingerprint cards) for Bernard Fensterwald, Jr., a historical researcher requesting access to Department of Justice information.

It is requested that this background investigation be completed no later than June 15, 1984. Should you have any questions regrading this matter, please have a member of your staff contact [redacted] on [redacted].

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Attachments

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

DE-38
V-131

44206-50

NOT RECORDED
57 MAY 23 1984

SECURITY PROGRAMS UNIT

57 JUN 24 1985

BOB approval No. 50-R208

Standard Form 86
AUGUST 1964
U.S. CIVIL SERVICE COMMISSION
(F.P.M. CHAPTER 736)
86-107

SECURITY INVESTIGATION DATA FOR SENSITIVE POSITION

SERIAL NO. (CSC use only)

INSTRUCTIONS.—Prepare in triplicate, using a typewriter. Fill in all items. If the answer is "No" or "None," so state. If more space is needed for any item, continue under item 28.

1. FULL NAME (Initials and abridgements of full name are not acceptable. If no middle name, show "(NMN)"; if initials only, show "(no given or middle name)")	(LAST NAME)	(FIRST NAME)	(MIDDLE NAME)	2. DATE OF BIRTH
	FENSTERWALD	Bernard, Jr.	-----	August 2, 1921
OTHER NAMES USED. (Maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, and show dates used.) NONE				3. PLACE OF BIRTH: Nashville, Tenn.
				4. ☒ MALE ☐ FEMALE

5. HEIGHT	WEIGHT	COLOR EYES	COLOR HAIR
5'7"	145	Green	Brown

6. ☐ SINGLE ☒ MARRIED ☐ WIDOW(ER) ☐ DIVORCED

7. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME. GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. (Give same information regarding all previous marriages and divorces.) 1st Wife: Elizabeth Vosbury, born 4/9/23 in Coronado, CA, married Alexandria, VA on 6/6/47, divorced in Arlington, VA in 1964. 2nd Wife: [redacted], born [redacted]; married Arlington, VA on 8/24/66.

b6
b7C

8. DATES AND PLACES OF RESIDENCE. (If actual places of residence differ from the mailing addresses, furnish and identify both and go back to January 1, 1937. Begin with present. Continue under item 28 on other side if necessary.)

FROM	TO	NUMBER AND STREET	CITY	STATE
1972	Present	811 Prince Street	Alexandria	VA
1966	1972	4136 N. 27th Street	Arlington	VA
1965	1966	863 N. Kentucky Street	Arlington	VA
1963	1965	1850 Columbia Pike	Arlington	VA
1955	1963	851 N. Lexington St.	Arlington	VA
1954	1955	Triplow Farms	Cambridge	England
1951	1954	851 N. Lexington St.	Arlington	VA
1950	1951	F Street, N.W.	Washington	DC
1946	1950	Harvard Law School	Cambridge	MA
1942	1946	U.S. Navy		
1938	1946	Harvard College	Cambridge	MA
1937-	1938	Leake Avenue	Nashville	TN

9.				
☒ U.S. CITIZEN	☒ BY BIRTH ☐ NATURALIZED	ALIEN REGISTRATION NO.		DATE, PLACE, AND COURT
	CERT. NO.	PETITION NO.		
	☐ DERIVED-PARENTS CERT. NO(S).			
☐ ALIEN	REGISTRATION NO.	NATIVE COUNTRY		DATE AND PORT OF ENTRY

10. EDUCATION. (All schools above elementary.)

NAME OF SCHOOL	ADDRESS	FROM (Year)	TO (Year)	DEGREES
Duncan Preparatory	Nashville, TN	1933	1938	High School
Harvard College	Cambridge, MA	1938	1942	BS
Harvard Law School	Cambridge, MA	1946	1949	LLB
School of Advanced International Studies	Washington, DC	1946	1950	MA
Cambridge University	Cambridge, England	1954	1955	None

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11. THIS SPACE FOR FBI USE. (See also item 29.)

12. SOCIAL SECURITY NUMBER 414-22-1934

13. MILITARY SERVICE (Past or present)

SERIAL NO. (If none, give grade or rating at separation)	BRANCH OF SERVICE (Army, Navy, Air Force, etc.)	FROM (Yr.)	TO (Yr.)
142274(LT)	Navy	1942	1946

44-20a-50

4

26a. REFERENCES. *(Name three persons, not relatives or employers, who are aware of your qualifications and fitness.)*

NAME IN FULL	HOME ADDRESS	BUSINESS ADDRESS	YEARS KNOWN	
			30	
John Henry Faulk	1713 Channel Rd., Austin, Texas		25	b6
			30	b7C

26b. CLOSE PERSONAL ASSOCIATES. *(Name three persons, such as friends, schoolmates or colleagues, who know you well.)*

NAME IN FULL	HOME ADDRESS	BUSINESS ADDRESS	YEARS KNOWN	
			15	b6
				b7C
			15	
Fred Cooke	722 Fernmere, Interlaken, New Jersey		15	

27. TO YOUR KNOWLEDGE, HAVE YOU EVER BEEN THE SUBJECT OF A FULL FIELD OR BACKGROUND PERSONAL INVESTIGATION BY ANY AGENCY OF THE FEDERAL GOVERNMENT? ☒ YES ☐ NO. *(If your answer is "Yes," show in item 28, (1) the name of the investigating agency (2) the approximate date of investigation, and (3) the level of security clearance granted, if known.)*

28. SPACE FOR CONTINUING ANSWERS TO OTHER QUESTIONS. *(Show item numbers to which answers apply. Attach a separate sheet if there is not enough space here.)*

Answer to #27: U.S. Navy 1942-1962, various investigations
FBI 1949-1969, various investigations

29. REPORT OF INFORMATION DEVELOPED. *(This space reserved for FBI use.)* DATE:

Before signing this form check back over it to make sure you have answered all questions fully and correctly.

CERTIFICATION

I CERTIFY that the statements made by me on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

False statement on this form is punishable by law.

May 10, 1984 (DATE)

B. Lenton Ward Jr. (SIGNATURE—*Sign original and first carbon copy*)

INFORMATION TO BE FURNISHED BY AGENCY

INSTRUCTIONS TO AGENCY: See Federal Personnel Manual Chapter 736 and FPM Supplement 296-31, Appendix A, for details on when this form is required and how it is used. If this is a request for investigation before appointment, insert "APPL" in the space for Date of Appointment and show information about the *proposed* appointment in the other spaces for appointment data. The *original* and the *first* carbon copy should be signed by the applicant or appointee. Submit the *original* and the *unsigned* carbon copy of the form, Standard Form 87 (Fingerprint Chart), and any investigative information about the person received on voucher forms or otherwise, to the United States Civil Service Commission, Bureau of Personnel Investigations, Washington, D.C., 20415. If this is a request for full field security investigation, submit these forms to the attention of the Division of Reimbursable Investigations; if this is a request for preappointment national agency checks, submit these forms to the attention of the Control Section.

RETAIN THE CARBON COPY OF STANDARD FORM 86 (SIGNED BY THE APPLICANT OR APPOINTEE) FOR YOUR FILES

DATE OF APPOINTMENT	TYPE OF APPOINTMENT	CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY	TITLE OF POSITION AND GRADE OR SALARY
	☐ EXCEPTED ☐ COMPETITIVE. *(Include indefinite and temporary types of competitive appointments.)*		

DEPARTMENT OR AGENCY	DUTY STATION	SEND RESULTS OF PREAPPOINTMENT CHECK TO:

THIS IS A SENSITIVE POSITION

(SIGNATURE AND TITLE OF AUTHORIZED AGE[redacted]FFICIAL)

☆ GPO : 1980 - 311-153 (6007)

14. HAVE YOU EVER BEEN DISCHARGED FROM THE ARMED FORCES UNDER OTHER THAN HONORABLE CONDITIONS? ☐ YES ☒ NO.
(If answer is "Yes," give details in item 28.)

15. EMPLOYMENT. *(List ALL employment dates starting with your present employment. Give both month and year for all dates. Show ALL dates and addresses when unemployed. Give name under which employed if different from name now used.)*

FROM	TO	NAME OF EMPLOYER (*Firm or agency*) AND SUPERVISOR (*Full name, if known*)	ADDRESS (*Where employed*)	TYPE OF WORK	REASON FOR LEAVING
1969	Present	Self-employed as attorney	Washington, DC	General Law	
1969	Present	Self-employed as attorney	Arlington, VA	General Law	
1959	1969	Judiciary Committee of U.S. Senate	Washington, DC	Legal	Private Practice
1957	1959	Admin.Asst. to U.S. Senator Thomas C. Hennings	Washington, DC	Admin.	Promotion
1950-	1956	U.S. Dept. of State	Washington, DC	Legal	
1942-	1946	U.S. Navy			

16. HAVE YOU EVER BEEN DISCHARGED (FIRED) FROM EMPLOYMENT FOR ANY REASON? ☐ YES ☒ NO.

17. HAVE YOU EVER RESIGNED (QUIT) AFTER BEING INFORMED THAT YOUR EMPLOYER INTENDED TO DISCHARGE (FIRE) YOU FOR ANY REASON? ☐ YES ☒ NO.
(If your answer to 16 or 17 above is "Yes" give details in item 28. Show the name and address of employer, approximate date, and reasons in each case. This information should agree with the statements made in item 15—EMPLOYMENT.)

18. HAVE YOU EVER BEEN ARRESTED, TAKEN INTO CUSTODY, HELD FOR INVESTIGATION OR QUESTIONING, OR CHARGED BY ANY LAW ENFORCEMENT AUTHORITY?
(You may omit: (1) Traffic violations for which you paid a fine of $30 or less; and (2) anything that happened before your 16th birthday. All other incidents must be included, even though they were dismissed or you merely forfeited collateral.) ☐ YES ☐ NO.

IF YOUR ANSWER IS "YES," GIVE FULL DETAILS BELOW:

DATE	CHARGE	PLACE	LAW ENFORCEMENT AUTHORITY	ACTION TAKEN

Several traffic violations - details forgotten -

19. HAVE YOU EVER HAD A NERVOUS BREAKDOWN OR HAVE YOU EVER HAD MEDICAL TREATMENT FOR A MENTAL CONDITION? ☐ YES ☒ NO.
(If your answer is "Yes," give details in item 28.)

20. FOREIGN COUNTRIES VISITED (SINCE 1930). *(Exclusive of military service.)*

COUNTRY	DATE LEFT U.S.A.	DATE RETURNED U.S.A.	PURPOSE
Virtually every country in North and South America, Europe, and Asia, including USSR and China.			Purpose generally for vacation but some trips on business.

21. ARE YOU NOW, OR HAVE YOU EVER BEEN, A MEMBER OF THE COMMUNIST PARTY, U.S.A., OR ANY COMMUNIST OR FASCIST ORGANIZATION? ☐ YES ☒ NO.

22. ARE YOU NOW OR HAVE YOU EVER BEEN A MEMBER OF ANY FOREIGN OR DOMESTIC ORGANIZATION, ASSOCIATION, MOVEMENT, GROUP, OR COMBINATION OF PERSONS WHICH IS TOTALITARIAN, FASCIST, COMMUNIST, OR SUBVERSIVE, OR WHICH HAS ADOPTED, OR SHOWS, A POLICY OF ADVOCATING OR APPROVING THE COMMISSION OF ACTS OF FORCE OR VIOLENCE TO DENY OTHER PERSONS THEIR RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES, OR WHICH SEEKS TO ALTER THE FORM OF GOVERNMENT OF THE UNITED STATES BY UNCONSTITUTIONAL MEANS? ☐ YES ☒ NO.

23. IF YOUR ANSWER TO QUESTION 21 OR 22 ABOVE IS "YES," STATE THE NAMES OF ALL SUCH ORGANIZATIONS, ASSOCIATIONS, MOVEMENTS, GROUPS, OR COMBINATIONS OF PERSONS AND DATES OF MEMBERSHIP. IN ITEM 28 OR ON A SEPARATE SHEET TO BE ATTACHED TO AND MADE A PART OF THIS FORM, GIVE COMPLETE DETAILS OF YOUR ACTIVITIES THEREIN AND MAKE ANY EXPLANATION YOU DESIRE REGARDING YOUR MEMBERSHIP OR ACTIVITIES.

NAME IN FULL	ADDRESS	FROM	TO	OFFICE HELD

24. MEMBERSHIP IN OTHER ORGANIZATIONS. *(List all organizations in which you are now a member or have been a member, except those which show religious or political affiliations.)* *(If none, so state.)*

NAME IN FULL	ADDRESS	TYPE	FROM	TO	OFFICE HELD
D.C. Bar	Washington, DC	Legal	1950	Present	None
VA Bar	Arlington, VA	Legal	1981	Present	None
Alexandria Community Y	Alexandria, VA		1980s	Present	Chairman of Y's Men
Boy Scouts of America	Nashville, TN		1930s		

25. RELATIVES. *(Parents, spouse, divorced spouse, children, brothers, and sisters, living or dead. Name of spouse should include maiden name and any other names by previous marriage. If person is dead, state "dead" after relationship and furnish information for other columns as of time of death.)*

RELATION	NAME IN FULL	YEAR OF BIRTH	ADDRESS	COUNTRY OF BIRTH	PRESENT CITIZENSHIP
Spouse	[redacted]			USA	USA
Son	[redacted]			USA	USA
Sister	Ann Fensterwald Eisenstein	1918	1108 Nichol Lane Nashville, TN	USA	USA
Father	Bernard Fensterwald, Sr.	1890 (dead)		USA	
Mother	Blanch Lindauer Fensterwald	1892 (dead)		USA	
*	[redacted]				

b6
b7C

U.S. Department of Justice
Deputy Attorney General

Authority to Release Information

To Whom It May Concern:

In connection with the background investigation being conducted by the Federal Bureau of Investigation, I hereby authorize any Special Agent or other authorized representative of the Federal Bureau of Investigation bearing this release, or copy thereof, within one year of its date, to obtain any information in your files pertaining to my State Bar, grievance records, employment, military, credit or educational records including, but not limited to, academic, achievement, attendance, athletic, personal history and disciplinary records; medical records, and credit records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information will be used in connection with the consideration of my employment by the U.S. Department of Justice and will be disseminated to those individuals or agencies directly involved in this determination or to fulfill other obligations imposed by law, regulation or presidential directive or executive order. I hereby release you, as the custodian of such records, and any school, college, university, or other educational institution, hospital, or other repository of medical records, credit bureau, consumer reporting agency, or retail business establishment including its officers, employees, or related personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may at time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of this release, you may contact me as indicated below.

Full Name: R. J. Fensterwald Jr.
(Signature)

Full Name: Bernard Fensterwald, Jr.
(Type or print)

Parent or Guardian:

(If Required)

Date: May 10, 1984

Current Address: 811 Prince Street

Alexandria, Virginia 22314

Telephone Number: 703-548-8479

Bar Membership(s): State District of Columbia Registration Number 45625

Virginia 022000

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 56068 SLS/dmj

FORM DAG-67
JUN. 82

4-22 (Re[illegible]1-83)

FEDERAL BUREAU OF INVEST[illegible]TION
Records/Operations Sections

5/23, 19 84

- ☐ Name Searching Unit, 4543, TL# 115
- ☑ ~~Service Unit~~, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention EX-2193
- ☑ Return to [redacted] 5432 243 b6
  Supervisor, Room, TL#, Ext. [redacted] b7C

Type of Search Requested: (Check One)
- ☑ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)
- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Bernard Fensterwald, Jr.
Birthdate & Place 8/2/21, Nashville, TENN.
Address 811 Prince St., Alexandria Virginia
Localities _____

R# _____ Date 5-23 Searcher Initials J

Prod. _____

	FILE NUMBER	SERIAL
I	77-44206	
I	190-9532	
I	190-43505	
I	197-182	
I	197-1947	
I	197-4238	
I	62-112697-1 Serial	1-6-69
I	77-44206-34 "	3-30-59
I	36 "	10-27-64
I	44-38861-5942	
I	62-0-92919	
I	62-587-1241	
I	1250	
I	1258	
I	62-23533-9496	
I	62-38958-68	
I	62-99828-60	
I	-81	
I	99	

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FBI/DOJ

II

4-22a (11-1,7-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial J

Prod. _____

	FILE NUMBER	SERIAL
I	62-99828-100	
I	101	
I	155	
I	156	
I	185	
I	199	
I	202	
I	204	
I	212	
I	213	
I	218	
I	220	
I	232	
I	245	
I	250	
I	267	
I	270	
I	282	
I	294	
I	313	
I	314	
I	325	
I	331	

FBI/DOJ

III

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD, FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial J

Prod. _____

	FILE NUMBER	SERIAL
I	62-99828-347	
I	366	
I	371	
I	384	
I	387	
I	392	
I	398	
I	404	
	62-102241-45	
I	62-109060-6643	
I	6651	
I	6930 Enc 1 P60	
I	-A WASH Post Times 1-3-69	
I	62-112697-4 Enc 1 P10	
I	7	
I	16	
I	17	
I	18	
I	19	
I	24	
I	26	
I	30 Enc 1 P3	
I	34	

FBI/DOJ

IV

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
	62-112697-A Wash Daily News	3-18-69
I	A	326-69
I	A LA Times	3-18-69
I	62-113909-40	
I	63-0-34934	
I	91-18339-62	
I	63	
I	66	
I	95-230865-5	
I	105-82555-5669	
I	5670	
I	5682	
I	5683	
I	5684	
I	5685	
I	5686	
I	5687	
I	5708	
I	5709	
I	5710	
I	5711	
I	5715	
I	5718	

FBI/DOJ

V

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
I	105-209024-85	
I	93	
I	105-214399-3	
I	4	
I	6	
I	140-0-85797	
I	140-24705-10 P24	
I	190-0-40122	
I	40850	
I	190-2-81160	
I	190-4-206	
I	190-709-72X11	
I	226X2	
I	190-4629-2	
I	190-4638-2	
I	190-5581-29	
I	35	
I	190-6118-83	
I	99	
I	190-7738-5	
I	190-14799-4	
I	-21	
I	190-18980-15	

FBI/DOJ

VE

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
I	190-21485-3	
I	-7X	
I	-20	
I	-26	
I	190-25460-52	
I	190-27171-12	
I	190-28876-3	
I	4	
I	197-122-3 ENCL PG4	
	BERNARD J. (BJ)	
I	190-4-30 ENCL PG8	
	B.	
	SI	
	B.A.	
	SI	
	Bud (AKA)	
I	62-99828-394	

FBI/DOJ

4-[illegible] (7-1-83)

FEDERAL BUREAU OF INVES[illegible]ATION
Records/Operations Sections

_____, 19___

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)
- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)
- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Feuerswald, Bernard Jr.
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOC
Prod. _____

	FILE NUMBER	SERIAL
HQ	77-44206	I
NY	190-9532	
NY	190-43505	
NY	190-182	
NY	100-1947	
NY	100-6238	I
NY	62-112697-1	Serial 2-6-64 I
NY	77-44206-34	Serial 3-20-59
NY	-36	Serial 10-27-60
NY	47-55254	
NY	105-40252 I	I
NY	44-38861-5942, 5878	
NY	62-0-92919 I	I
NY	62-587-1241, 1250, 1258	
NY	62-23533-9446	
NY	62-33958-108	
NY	62-102221-45 I	I
NY	62-109060-6643, 6651, 6930, 6960	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SP/dmj

FBI/DOJ

4-22a (Rev. 11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-84 Searcher Initial SOU

Prod. _____

	FILE NUMBER	SERIAL
I	62-99828-80, 81, 99, 100, 101, 155, 156	
I	-185, 199, 202, 234, 252, 253, 258	
I	-220, 232, 245, 250, 267, 270	
I	-282, 294, 313, 314, 325, 331	
I	-347, 366, 371, 380, 387, 392	
I	-398, 400	
I	62-109060-A Wash Post-Times Herald 1-3-69	
I	62-112697-Vol 10; 7, 16, 17, 18, 19, 25	
	I I I

4-22a (Rev. 11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-84 Searcher Initial SOY

Prod. _____

	FILE NUMBER	SERIAL
I	140-24705-10,24	
I	190-0-40122, 40850 I	
I	190-2-81160	
I	190-4-206	
I	190-709-72X1; 226X2	
I	190-6029-2	
I	190-6038-2	
I	190-5581-29, 35 I	
I	190-6118-83, 99	
I	190-7738-5	
I	190-14799-4, 21 I	
I	190-8980-15	
I	190-21485-3, 7X, 20, 26 I I I	
I	190-25460-52	
I	190-27171-12	
I	190-28876-3, 4 I	
I	100-172-Serials	
I	CO-2861-A Herald 6-25-70 Wash Post - Times	
I	-A Los Angeles 9-5-70	
I	2-55254-1	
I	62-2110-2590	
I	76-2631-28	

FBI/DOJ

4-22a (Rev. 11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-80 Searcher Initial SOC

Prod. _____

	FILE NUMBER	SERIAL
1	72-1404-A Evening Star 3-6-65	
	-A (Incl newspaper Post 3-15-65)	
1	94-55956-20	
1	105-50350-3	
	B. Ford	
	ST	
	B.A. (aka)	
	ST	
	Bernard J. (Bud)	
1	190-4-30 ep 48	
	Bud (aka)	
1	62-99828-394	
	Bush (aka)	
1	105-209024-73	
	Fensterwald, Bernard (Bud)	
1	62-99828-75	

FBI/DOJ

4-22 (7-1-83)

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

_____, 19____

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Yosbury, Elizabeth
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOY
Prod. _____

	FILE NUMBER	SERIAL
	ML	
	ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/amy	
I	Feustforwald, B. MG 77-44206 - 5, 10	

FBI/DOJ

4-22 (7-1-83)

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

_____, 19____

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Eisenstein, Ann Fenstenwald

Birthdate & Place _____

Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOU

Prod. _____

	FILE NUMBER	SERIAL
	Ann	
1	100-387835-2385 p2	
1	105-106445-2	
1	77-85204-7	
	Fenstenwald, Ann	
1	77-44206-10, 5	
1	100-10355-82	
1	105-50350-2	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

4-22 (Rev. 7-1-83)

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

_____, 19____

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Fensterwald, Blanch Lindauer
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOK
Prod. _____

	FILE NUMBER	SERIAL
	Blanche (Mrs)	
I	105-50350	F
I	105-61861-2	
	Barnard Mrs	
	SI	
	B. Mrs	
H	77-44206-5,10	
I	100-10355-82	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5608 SLD/dmy

FBI/DOJ

O-9 (Rev. 8-16-79)

TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____ **DATE:** 5/24/84

FROM: Director, FBI (77-NEW)

TO: SACs, Alexandria
Baltimore
Boston
Houston
Memphis
Newark
Pittsburgh
St. Louis
Washington Field Office
Legat, London

C

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
OO: BUREAU
BUDED: 6/8/84; 7/9/84

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 51668 SAD/dmj

The Department of Justice has approved the initiation of a full-field background investigation on captioned individual, who is a self-employed Historical Researcher in Washington, D.C., who will need access to classified national security information.

MAILED 1 MAY 25 1984 FBI

Enclosed for receiving offices is an SF-86, "Security Investigation Data for Sensitive Position," and an FD-406, Authority to Release Information." Conduct investigation in accordance with instructions contained in Part I, Section 77, and Part II, Section 17, Manual of Investigative Operations and Guidelines. Assign case immediately. Report of completed investigation must be submitted to reach FBIHQ, Security Programs Unit, Room 5432, by BUDED. Credit and arrest checks for applicant and relatives must be submitted by 6/8/84, without fail in order that he may be granted an interim security clearance which will allow him access to classified information.

Enclosures (2)

77-44206-50X

RETURN TO [redacted]
ROOM 5432, TL 243

b6
b7C

NOT RECORDED
2 APR 26 1985

Exec AD Inv. ___
Exec AD Adm. ___
Exec AD LES ___
Asst. Dir.: 1 - [redacted]
Adm. Servs. ___
Crim. Inv. ___
Ident. ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Insp. ___
Rec. Mgnt. ___
Tech. Servs. ___
Training ___
Public Affs. Off. ___
Telephone Rm. ___
Director's Sec'y ___

JSD:sc
(22)

MAIL ROOM

FBI/DOJ

GPO : 1979 O - 298-383

FBI/DOJ

SL0016 153 0111Z

PP HQ

DE SL

P 231131Z MAY 84

FM ST. LOUIS (77D-M) (P)

TO DIRECTOR PRIORITY

BT

UNCLAS E F T O

BERNARD FENSTERWALD, JR., CONTRACT PERSONNEL INVESTIGATION (D)

BUDED: JUNE 8, 1984; JULY 9, 1984.

RE BUREAU AIRTEL TO ALEXANDRIA, MAY 24, 1984.

ALL INDIVIDUALS CONTACTED WERE APPRISED OF THE PROVISIONS OF THE PRIVACY ACT, AND THOSE REQUESTING CONFIDENTIALITY HAVE BEEN SO NOTED.

ST. LOUIS GENERAL INDICES DISCLOSE FOLLOWING REFERENCES TO BERNARD FENSTERWALD, JR.: ST. LOUIS FILE 88-10663-2 (JUNE, 1977), KNOXVILLE TELETYPE TO BUREAU, JUNE 11, 1977, ENTITLED "JAMES EARL RAY, AKA; CONSPIRACY TO COMMIT UFAC-ESCRAPE, OO: KNOXVILLE", WHICH INDICATED FENSTERWALD VISITOR TO RAY IN PRISON; ST. LOUIS FILE 190-1 SUB 1-45 (FEBRUARY, 1978), LETTER FROM [redacted] 910 - 16TH STREET, N.W., WASHINGTON, D.C,, SAC, ST. LOUIS, DATED JANUARY 27, 1978, CONCERNING FOIA REQUEST PERTAINING TO [redacted], NOT RECORDED,

77-44206 50X1

b6
b7C

2 APR 26 1985

1-D

57 JUN 4 1985

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SD/dmj

Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES
Asst. Dir.:
Adm. Servs.
Crim. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Off. of Cong. & Public Affs.
Rec. Mgnt.
Tech. Servs.
Training
Telephone Rm.
Director's Sec'y

INDICATING REQUEST HAD "ALREADY BEEN MADE TO" FBIHQ; AND ST. LOUIS FILE 190-166 (MAY, 1980), ENTITLED "FOIPA REQUESTS FROM BERNARD J. FENSTERWALD, JR., ESQ.", OF WHICH FCAU, ROOM 6289, FBIHQ, IS AWARE.

SINCE BUREAU PREVIOUSLY AWARE OF AFOREMENTIONED REFERENCES, NO FURTHER ACTION BEING TAKEN BY ST. LOUIS CONCERNING SAME, UACB.

INVESTIGATION CONTINUING AT FEDERAL RECORDS CENTER, CIVILIAN AND MILITARY BRANCHES, ST. LOUIS, MISSOURI, AND REPORT WILL BE SUBMITTED TO BUREAU WITH RESULTS OF CHECKS AT THOSE FACILITIES.

BT

#

FD-36 (Rev. 8-26-82)

FBI

TRANSMIT VIA:
☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/1/84

TO: DIRECTOR, FBI
ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

FROM: SAC, HOUSTON (77D-7638) (RUC)

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
OO: BUREAU
BUDED: 6/8/84; 7/9/84

Re Director airtel to AX, et al, 5/24/84.

Enclosed for San Antonio is referenced communication.

No apparent lead for Houston Division inasmuch as Austin, Travis County, Texas is covered by the San Antonio Division.

San Antonio is requested to conduct appropriate investigation in accordance with current instructions.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/99 BY 51668 SLD/dmj

77-44206-50X2

NOT RECORDED
JUN 6 1984

2 - Bureau (Info.)
2 - San Antonio (Encs.2)
1 - Houston
MAG/mag
(5)

Approved: _____ Transmitted _____ (Number) _____ (Time) Per _____

SECURITY PROGRAMS UNIT

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
MEMPHIS	BUREAU	6/6/84	6/5/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY

IA [redacted] b6 b7C

TYPED BY jh

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION (C)

REFERENCE: Bureau airtel 5/25/84.

-RUC-

ADMINISTRATIVE:

Memphis indices negative re Ann Fensterwald Eisenstein.

[redacted] 8/5/94 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

(2) - Bureau
1 - Memphis (77C-4946)

77-44206-50X3

NOT RECORDED
JUN 11 1984

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By	57 JUN 1 1984			

Notations

FACIL MGMT & SEC. SECT.

c43—16—83489-1 GPO

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [redacted] Office: Memphis
Date: June 6, 1984

Field Office File #: 77C-4946 Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Applicant's birth verified. No arrest record for applicant's sister at Nashville, Tennessee.

-RUC-

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 5668 SLD/dmj

DETAILS

Birth

On June 5, 1984, Mrs. Martha Boone, Office of Vital Records, Department of Health and Environment, State of Tennessee, Nashville, advised the birth of BERNARD FENSTERWALD, JR. on August 2, 1921 at Nashville, Tennessee, is recorded in Volume 17 Page 215 in records of that office; father BERNARD FENSTERWALD, mother's maiden name BLANCH LINDAUER.

Arrest Check

On June 5, 1984, a review of the computerized records of Metropolitan Police Dept., Nashville, Tennessee, located no information identifiable with ANN FENSTERWALD EISENSTEIN, born 1918.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

U.S.GPO:1975-0-575-841

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
BOSTON	BUREAU	6/8/84	6/4-5/84

TITLE OF CASE	REPORT MADE BY	TYPED BY
BERNARD FENSTERWALD, JR.	SA [redacted]	elm b6 b7C
	CHARACTER OF CASE: CONTRACT PERSONNEL INVESTIGATION	

REFERENCE: Bureau airtel Alexandria 5/24/84.

-P-

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668SLD/drw

ADMINISTRATIVE:

All persons contacted were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality. Credit and arrest check conducted by IA [redacted]. b6 b7C

LEADS

BOSTON DIVISION

AT CAMBRIDGE, MASSACHUSETTS

Will forward results of education checks at Harvard University.

ACCOMPLISHMENTS CLAIMED ☐ NONE							
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES	ACQUITTALS	CASE HAS BEEN:
							PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED JWG/MLH SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

77- 44206 - 50X4

COPIES MADE:

2 - Bureau (77-NEW)
1 - Boston (77D-19303)

NOT RECORDED
16 JUN 13 1984

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

FACILITIES SECT.
SECURITY PROGRAMS UNIT

57 JUN 24 1984

A*

COVER PAGE

FBI/DOJ

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted]
Date: June 7, 1984

Office: Boston, Massachusetts

b6
b7C

Field Office File #: 77D-19303

Bureau File #:

Title: BERNARD FENSTERWALD, JR.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5608 SLD/dmj

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Credit and arrest checks reflect no information.

-P-

Details:

CREDIT

On June 4, 1984, MRS. DIANA KELLY, Clerk, Credit Bureau Services, Inc., 6 St. James Avenue, Boston, Massachusetts advised their files contained no record for BERNARD FENSTERWALD, JR., dob 8/2/21, SSAN 414-22-1934.

ARREST

On June 5, 1984, MRS. WANEDA JORDAN, Records Section, Cambridge, Massachusetts Police Department advised their files contained no identifiable information with BERNARD FENSTERWALD, JR., dob 8/2/21.

1*

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents not to be distributed outside your agency.

U.S.GPO:1975-0-575-841

11 JUN 84 09 46Z

FEDERAL BUREAU OF INVESTIGATION

VZCZCLON504 1630920

P 081455Z JUN 84

FM LEGAL ATTACHE LONDON (77D-939)(P)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

C O ~~N F I D E N T I A L~~

ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

BERNARD FENSTERWALD, JR.; CPI. OO: BUREAU BUDEDS: JUNE 8, 1984;

JULY 9, 1984

COMMUNICATION CLASSIFIED "CONFIDENTIAL" EXCEPT WHERE NOTED.

ON JUNE 8, 1984 A CONFIDENTIAL SOURCE ABROAD ADVISED [redacted] (U)

b7D

ALSO ON JUNE 8, 1984 A SECOND CONFIDENTIAL SOURCE ABRAOD ADVISED [redacted]. (U)

77-44 206-50X5

DECLASSIFIED BY 5668 SLD/dmj
ON 9/5/94 (per G-1 guide)

NOT RECORDED
2 APR 26 1985

ADMINISTRATIVE:

REBUAIRTEL MAY 24, 1984.

FIRST CONFIDENTIAL SOURCE ABROAD IS [redacted]; AND SECOND SOURCE IS [redacted].

b7D

1-D

ON FENSTERWALD'S FORM SF86 EDUCATION LISTED WITH CAMBRIDGE UNIVERSITY, CAMBRIDGE, ENGLAND, FROM 1954 TO 1955. IT'S NECESSARY TO HAVE THE NAME OF THE COLLEGE ATTENDED IN ORDER THAT EDUCATION BE VERIFIED; IT WOULD ALSO BE HELPFUL TO KNOW IF DEGREE WAS AWARDED AND SUBJECTS ATTENDED.

BUREAU REQUESTED TO OBTAIN ABOVE INFORMATION AND FURNISH AS SOON AS POSSIBLE.

SECURITY CHECK BEING CONDUCTED; RESULTS WILL BE SUBMITTED AS SOON AS RECEIVED.

~~CLASSIFIED BY G-1; DECL: OADR.~~

BT

Cambridge
Law school.
no degree awarded

NNNN

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
BALTIMORE	BUREAU	6/13/84	6/11/84

TITLE OF CASE

BERNARD FERNSTERWALD, JR.

Bernard Fensterwald Jr.

REPORT MADE BY: CLERK, [redacted] TYPED BY: b6 dj b7C

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

4

REFERENCE: Bureau airtel to Baltimore dated, 5/24/84.

-RUC-

ADMINISTRATIVE DATA: BUDED: 6/8/84; 7/9/84

No one contacted requested confidentiality under the provisions of the Privacy Act.

Baltimore indices negative re applicant.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED

SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

77-44206-50X6 DE:7

NOT RECORDED
16 JUN 14 1984

V-40

COPIES MADE:

2 - Bureau (ATTN: SPU, Room 5432)
1 - Baltimore (77C-FM) (SQ. 9)

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

SECURITY PROGRAMS UNIT

1117 MAR 4 1986

COVER PAGE

FBI/DOJ

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:	CLERK, [redacted]	Office:	BALTIMORE	b6 b7C
Date:	June 13, 1984			
Field Office File #:	77C-FM	Bureau File #:		
Title:	BERNARD FERNSTERWALD, JR.			
Character:	CONTRACT PERSONNEL INVESTIGATION			

Synopsis:

DCII was checked on 6/11/84 without locating any record of applicant.

-RUC-

DETAILS:

The Defense Central Index of Investigations (DCII) is a computerized index of applicant, security and criminal investigative files compiled by the Department of Defense (DOD). On June 11, 1984, a search of the DCII was conducted in regard to applicant by the DCII computer operator at Fort George G. Meade, Maryland. Review of the resulting DCII printout disclosed no record of applicant.

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FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
BOSTON	BUREAU	6/13/84	6/7-11/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY: SA [redacted] TYPED BY: elm b6 b7C

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

REFERENCE: Buairtel Alexandria 5/24/84. Boston report SA [redacted] 6/8/84. b6 b7C

-RUC-

ADMINISTRATIVE:

All persons contacted in this matter were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality.

Investigation was conducted by SA [redacted]. b6 b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED JW6/MLH SPECIAL AGENT IN CHARGE

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1 - Boston (77D-19303)

77-44206-50X7

NOT RECORDED
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Dissemination Record of Attached Report				
Agency				
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Date Fwd.				
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By				

Notations

SECURITY PROGRAMS UNIT

57 JUN 24 1985

A*

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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: Boston, Massachusetts b6 b7C
Date: June 13, 1984

Field Office File #: 77D-19303 Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SD/dmj

Synopsis: Education verified at Harvard University and Harvard Law School.

-RUC-

Details:

On June 7, 1984, LUCILLE DEMIRJIAN, Assistant Registrar, Harvard Law School, advised that records reflect BERNARD FENSTERWALD, JR., born August 2, 1921 at Nashville, Tennessee attended Harvard Law School from October 21, 1946 through May 21, 1949, at which time a LLB Degree was awarded on June 23, 1949. FENSTERWALD graduated with a "C+," 69, grade point average (below 55 is "F", above 74 is "A"), and a class standing of 103 in 395 total graduates. Upon commencement FENSTERWALD received the Addison Brown Prize for writing the best essay on a designated subject of marine or private international law. There was no derogatory information contained in the file.

On June 11, 1984, MARY CROWLEY, Certification Secretary, Harvard University, Holyoke Center, 1350 Massachusetts Avenue, Cambridge, Massachusetts, advised records reflect that BERNARD FENSTERWALD, JR. born August 2, 1921, at Nashville, Tennessee, attended Harvard University from September 1938 until his graduation on June 11, 1942. FENSTERWALD was awarded a Bachelor of Science degree in the major field of government. FENSTERWALD graduated magna cum laude; no grade point average or class standing was maintained. No derogatory information was noted in the file.

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U.S.GPO:1975-0-575-841

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14 JUN 84 15 MAY

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

VZCZCLON531 1661515

P 141457Z JUN 84

FM LEGAL ATTACHE LONDON (77D-939)(P)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

~~C O N F I D E N T I A L~~

8/3/94 Classified by 5668 SLD/dmy
Declassify on: OADR (per G-1)
CA#94-06557HG

ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

BERNARD FENSTERWALD, JR.; CPI. 00: BUREAU BUDED: JULY 9, 1984

COMMUNICATION CLASSIFIED "~~CONFIDENTIAL~~" EXCEPT WHERE NOTED.

ON JUNE 14, 1984 A CONFIDENTIAL SOURCE ABROAD ADVISED [redacted] b7D

[redacted] ~~(S)~~ (U)

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENTAL REVIEW COMMITTEE (DRC) DATE: 8/23/94 5668 SLD/dmy

ADMINISTRATIVE:

REBUAIRTEL MAY 24, 1984; LONTEL TO DIRECTOR JUNE 8, 1984.

CONFIDENTIAL SOURCE ABROAD IS [redacted] b7D

[redacted] ~~(S)~~ (U)

77-44206-50X8

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APR 26 1985

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BT

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36 (Rev. 8-26-82)

FBI

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PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ ~~TOP SECRET~~
☐ ~~SECRET~~
☐ ~~CONFIDENTIAL~~
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/15/84

~~CONFIDENTIAL~~

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (77D-7102)(P)

8/3/94 Classified by 5668 SLD/dmj
Declassify on: OADR
CA#94-0655 HHG

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION

Re Bureau airtel to Alexandria, 5/24/84.

Alexandria search through ~~confidential~~ indices revealed numerous references to the employee and [redacted]. Alexandria indices search produced numerous Freedom of Information Act requests which the employee had initiated. The employee was also identified as a member of the "Committee to Investigate Assassinations, Inc." [redacted]

b6
b7C
b7E

[redacted] Alexandria notes that the employee (U) was a former member of the Judiciary Committee of the United States Senate and had also been self-employed as an attorney in the District of Columbia. Alexandria search revealed no other information on any other pertinent individuals.

CREDIT CHECK

On June 6, 1984, IA [redacted] caused a search to be made of the files of the CREDIT BUREAU OF NORTHERN VIRGINIA, INC., Post Office Box 232, Manassas, Virginia, which covers the Washington Metropolitan area, and was advised that the employee has a satisfactory credit rating.

b6
b7C

77-44206-50X9

NOT RECORDED
18 JUN 18 1984

(2) Bureau
1-Alexandria
HEB:plw
(3)

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CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC) DATE: 8/3/94 5668 SLD/dmj

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

SECURITY PROGRAMS UNIT

☆ U.S. Government Printing Office: 1984—431-613/6249

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
PITTSBURGH	BUREAU	6/18/84	6/4/84 - 6/15/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY: IA

TYPED BY: vlm

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

b6
b7C

REFERENCE:

Bureau airtel to Alexandria dated 5/24/84.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5068 SLD/dmj

ADMINISTRATIVE:

Review of Pittsburgh indices disclosed the following:

PG File: 190-203 entitled "JEAN RENE SOUETRE, aka Michael Victor Mertz, Michael Roux; BERNARD FENSTERWALD, JR., REQUESTER, FOIA MATTER."

Fensterwald requested local indexes and files be searched regarding Souetre, Mertz, and Roux.

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED _____ SPECIAL AGENT IN CHARGE

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77-44206-50X10

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2 - Bureau
1 - Pittsburgh (77D-9680-162)

Dissemination Record of Attached Report				
Agency				
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How Fwd.				
By				

Notations

PG 77D-9680-162

PG File: 190-0-195 entitled "FOIPA Requests from Bernard J. Fensterwald, Jr., Esquire."

Fensterwald made numerous requests to FBIHQ and various field offices on behalf of J. Gary Shaw and Mark Allen, two JFK Assassination researchers. Directions regarding the handling of these requests were furnished by FBIHQ.

Individuals contacted in this matter were advised of the provisions of the Privacy Act of 1974, and none requested confidentiality.

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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [redacted]
Date: 6/18/84

Office: PITTSBURGH, PA.

b6
b7C

Field Office File #: 77D-9680-162

Bureau File #:

Title: BERNARD FENSTERWALD,JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Office of Personnel Management (OPM) checks negative.

- RUC -

DETAILS:

On June 15, 1984, [redacted] Records Supervisor, United States Office of Personnel Management (USOPM), NACI Center, Boyers, Pennsylvania, advised his indices contain no record for captioned applicant.

b6
b7C

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FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
WASHINGTON FIELD	BUREAU	6/21/84	5/29/84 - 6/11/84

TITLE OF CASE

BERNARD FENSTERWALD JR.

REPORT MADE BY: SA [redacted] b6 b7C — TYPED BY: ld

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

REFERENCE: Buairtel to Alexandria, dated 5/24/84.

- P -

ADMINISTRATIVE: Buded: 6/8/84; 7/9/84.
Police agency checks submitted ~~with~~ Complete report to follow.

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DATE 8/5/94 BY 5668 SLD/kmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

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1-WASHINGTON FIELD OFFICE (77D-111784)

77-44206-50X11

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Notations

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57 JUN

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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted]
Date: 6/21/84

Office: WASHINGTON, D.C.

b6
b7C

Field Office File #: 77D-111784

Bureau File #: 77-New

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Local police agency checks negative for applicant and his ex-wife.

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DATE 8/5/94 BY 566B SCD/dmj

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WFO 77D-111784
EG:ld

POLICE AGENCIES

On June 7, 1984, IA [redacted], searched the files of the UNITED STATES PARK POLICE and no identifiable adult criminal or traffic record could be located regarding the applicant or the following relatives: b6 b7C

[redacted] b6 b7C

On June 8, 1984, an inquiry was made of the WASHINGTON AREA LAW ENFORCEMENT SYSTEM (WALES) and it was determined that no Metropolitan Police Department record was on file for the applicant or his above listed relatives. It should be noted that at any time an indefinite number of records are out of the computer and are unavailable for review.

On June 11, 1984, IA [redacted] determined that no record was contained in the DEPARTMENT OF TRANSPORTATION, Bureau of Motor Vehicle services, Government of the District of Columbia files concerning the applicant. b6 b7C

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
SAN ANTONIO	BUREAU	6/27/84	6/20/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY

SA [redacted] b6 b7C

TYPED BY jlg

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

BUDED: 7/9/84

REFERENCE: Bureau airtel to Alexandria, 5/24/84; Houston airtel to Bureau, 6/1/84.

-RUC-

ADMINISTRATIVE:

All persons were apprised of the provisions of the Privacy Act of 1974 and those requesting confidentiality have been so noted.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SHD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED SPECIAL AGENT IN CHARGE

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Notations

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FBI/DOJ

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] **Office:** SAN ANTONIO, TEXAS b6 b7C
Date: 6/27/84

Field Office File #: SA 77D-8760 **Bureau File #:**

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Reference comments favorably and recommends.

-RUC-

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS:

The following investigation was conducted by Special Agent [redacted] on June 20, 1984 at Austin, Texas: b6 b7C

REFERENCE

JOHN HENRY FAULK, 1713 Channel Road, Austin, advised that he first met the applicant in 1955 or 1956 when both were active in the presidential campaign of ADLAI STEVENSON. They became friends and have maintained that friendship over the years. FAULK stated that he recalls the applicant was the Chief Counsel to the Senate Committee investigating illegal wiretaps during the 1960's, and he is generally considered to be a very capable lawyer and able individual. FAULK added that the applicant is extremely honest and conscientious in all that he does and is a dedicated American citizen even though he has been critical of some Government policies in the past which he has felt were in conflict with the Constitution and the Bill of Rights. FAULK stated that the applicant is a highly scrupulous individual who is quiet and dignified, and who mostly associates with respected professional people. FAULK added that the applicant is held in a great deal of affection

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Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: NEWARK, NEW JERSEY
Date: JUNE 29, 1984

b6
b7C

Field Office File #: 77D-15967 Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Reference FRED COOK gave BERNARD FENSTERWALD, JR., a favorable recommendation.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS

REFERENCE

On June 28, 1984, FRED COOK, 722 Fernmere, Interlaken, New Jersey, stated that he has known BERNARD FENSTERWALD, JR., since the mid 1960's. They met when FENSTERWALD was the Legal Counsel for the Congressional Committee for Assassinations.

FENSTERWALD is a very bright, dedicated and hard working attorney. He has tremendous energy and is of the highest character and integrity.

To COOK'S knowledge, FENSTERWALD has never used drugs of abuse or abused alcohol. He would highly recommend FENSTERWALD for a position of responsibility with the federal government.

1*

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U.S.GPO:1975-0-575-841

and respect by all. FAULK stated that he does not believe the applicant drinks alcohol and has never used narcotics to his knowledge. FAULK highly recommends the applicant for a position of trust with the Government.

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
ST. LOUIS	BUREAU	6/29/84	6/1 - 6/27/84

TITLE OF CASE: BERNARD FENSTERWALD, JR.

REPORT MADE BY: IA [redacted] b6 b7C — TYPED BY: bjb

CHARACTER OF CASE: CONTRACT PERSONNEL INVESTIGATION (D)

REFERENCE: Buairtel to Alexandria, 5/24/84;
St. Louis teletype to Bureau, 5/23/84 and 5/31/84.

- RUC -

ADMINISTRATIVE:

All persons contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

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77-44206-50X13

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1 - St. Louis (77D-M)

SL FILE WILL BE DESTROYED IN 120 DAYS.

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By				

Notations: A/9 SD [illegible] UNT

57 JUN 24 1985

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FBI/DOJ

~~CONFIDENTIAL~~

ARREST CHECKS

On June 6, 1984, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, failed to reflect any information identifiable with the employee's [redacted]. b6 b7C

IA [redacted] caused a search to be made of the files of the FALLS CHURCH, VIRGINIA, POLICE DEPARTMENT, and was advised on June 5, 1984, that no record was located concerning the employee's [redacted]. b6 b7C

IA [redacted] caused a search to be made of the files of the ARLINGTON, VIRGINIA, POLICE DEPARTMENT, and was advised on June 1, 1984, that the following record was located concerning the employee. On January 20, 1952, the employee was cited for the traffice offense of speeding, 45/28 mph zone. On January 21, 1952, the case was disposed of when the employee pled guilty and was fined $10 plus court costs. On May 8, 1969, the employee was cited for allowing his dog to run at large, and on July 8, 1970, the charge was dismissed. It is to be noted that at all times an indefinite number of unidentified records are out of file and an accurate search cannot be made. b6 b7C

IA [redacted] caused a search to be made of the files of the ALEXANDRIA, VIRGINIA, POLICE DEPARTMENT, and was advised on June 1, 1984, that no record was located concerning the employee or [redacted]. b6 b7C

On June 1, 1984, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, failed to reflect any information identifiable with the employee.

All individuals contacted have been apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

LEADS:

ALEXANDRIA

AT ALEXANDRIA, VIRGINIA

Will forward results of continuing neighborhood and reference investigations when completed.

~~CONFIDENTIAL~~

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [redacted] Office: ST. LOUIS b6
Date: June 29, 1984 b7C

Field Office File #: SL 77D-M Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: FENSTERWALD served honorably in the NAVY and NAVAL RESERVE. Records, FRC-C, St. Louis, Missouri, disclosed FENSTERWALD employed 1/50 to 9/56 as attorney-adviser with STATE DEPARTMENT, Washington, District of Columbia, terminated by resignation. LWOP for "Educational purposes", rating of performance, and security clearance noted.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS: AT ST. LOUIS, MISSOURI:

Military Service:

A review on June 27, 1984, of the records at the FEDERAL RECORDS CENTER, MILITARY BRANCH, indicated BERNARD FENSTERWALD, JR., serial and social security numbers: 142-274; 414-22-1934, was appointed an ensign in the NAVAL RESERVE on May 6, 1942. He entered on active duty on September 18, 1942, at Hanover, New Hampshire. He was honorably released from active duty on March 1, 1946, as a lieutenant, at Washington, D.C., and was transferred to the RESERVE.

He served in the RESERVE, inactive status, from May 6 to 17, 1942, and from March 2, 1946 to July 1, 1962, when he was honorably discharged by reason of retirement, as a lieutenant, highest rank attained.

He had foreign sea/service in the Asiatic-Pacific Area and the European-African-Middle Eastern Area. He was awarded the Philippine Liberation and World War II Victory Medals, and the American Campaign and Asiatic-Pacific Campaign Medals.

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His character and efficiency ratings ranged from satisfactory to excellent and there was no record of court-martial or absence without official leave.

He was granted a Secret clearance on November 9, 1959, which was terminated at time of retirement.

His date and place of birth were shown as August 2, 1921, at Nashville, Tennessee.

Employment:

On June 4, 1984, a review by Lead Investigative Assistant (LIA) [redacted] of an Official Personnel Folder (OPF) on file at the FEDERAL RECORDS CENTER, CIVILIAN BRANCH (FRC-C), 111 Winnebago Street, disclosed BERNARD FENSTERWALD, JR. was employed on January 9, 1950 as an attorney-adviser with the DEPARTMENT OF STATE, OFFICE OF THE LEGAL ADVISER, OFFICE OF THE ASSISTANT LEGAL ADVISER FOR INTERNATIONAL ORGANIZATION AFFAIRS, at Washington, District of Columbia. On August 31, 1950 he was reassigned to the OFFICE OF THE ASSISTANT LEGAL ADVISER FOR POLITICAL AFFAIRS, and on January 6, 1952 he was reassigned to the OFFICE OF THE ASSISTANT LEGAL ADVISER FOR INTERNATIONAL ORGANIZATION AFFAIRS. He was designated "an Adviser on the United States Delegation to the Eight Session of the United Nations General Assembly, New York City, September 15, 1953" (further details not shown). He was in a leave without pay (LWOP) status from September 3, 1954 to January 5, 1956 for "Educational purposes - to study at the University of Cambridge". He was designated "an Ad Hoc Adviser on the United States Delegation to the Working Level Meeting on the Draft Statute of the International Atomic Energy Agency to convene at Washington, D.C., February 27, 1956" (further details not shown). This employment was terminated on September 5, 1956 by resignation "To accept non-government employment." b6 b7C

His performance was rated as "Excellent", and no unfavorable information was noted in the OPF. It was indicated he was granted a security clearance (level not shown) by the STATE DEPARTMENT during 1954, details not shown.

His date and place of birth were shown as August 2, 1921, at Nashville, Tennessee.

(5-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
NEWARK	BUREAU	6/29/84	6/28/84

TITLE OF CASE	REPORT MADE BY	TYPED BY
BERNARD FENSTERWALD, JR.	SA [redacted] b6 b7C	das
	CHARACTER OF CASE: C.P.I.	

REFERENCE: Bureau airtel to Alexandria, 5/24/84.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

ADMINISTRATIVE:

FRED COOK was apprised of the provisions of the Right to Privacy Act of 1974.

Reference FRED COOK is the author of the book, The FBI That Nobody Knows, published in 1964.

Newark indices are negative for FENSTERWALD except for FOI requests. Indices are also negative for FRED COOK.

ACCOMPLISHMENTS CLAIMED ☒ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
						0	PENDING OVER ONE YEAR ☐ YES ☒ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☒ NO

APPROVED: James Caprasola Jr. SPECIAL AGENT IN CHARGE

COPIES MADE:

3-Bureau
1-Newark (77D-15967)

DO NOT WRITE IN SPACES BELOW

77-44206-50X14

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

A*
COVER PAGE

JUN 21 1985

c43—16—83480-1 GPO

FD-36 (Rev. 8-26-82)

FBI

TRANSMIT VIA:
- ☐ Teletype
- ☐ Facsimile
- ☐ Airtel

PRECEDENCE:
- ☐ Immediate
- ☐ Priority
- ☐ Routine

CLASSIFICATION:
- ☐ ~~TOP SECRET~~
- ☐ ~~SECRET~~
- ☐ ~~CONFIDENTIAL~~
- ☐ UNCLAS E F T O
- ☐ UNCLAS

~~SECRET~~

Date 7/6/84

TO: DIRECTOR, FBI
ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

FROM: SAC, SAN ANTONIO (77D-8760)(P)

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
OO: BUREAU
BUDED: 7/9/84

All markings, notations, and items of information contained herein are classified ~~Secret~~ unless otherwise noted.

Re Houston airtel to San Antonio 6/1/84 and Bureau airtel to Alexandria 5/24/84. (U)

San Antonio indices contained numerous references regarding JOHN HENRY FAULK.

FAULK was subject of closed San Antonio file #100-3754 (Bufile #100-181329) where he was thought to be a member of the Communist Party, as well as numerous other 100 classification "see references" as listed or outlined below:

100-242-756 Bufile 100-3-40
-964
-1039
-1522a item 4
-1534 p. 3
-1631
100-7149-266 p. 7 Bufile #100-345613

77-44206 50X15

2 - Bureau
2 - San Antonio
MWC:amr
(4)

DECLASSIFIED BY 9668 SLD/dmy
ON 8/22/94 - (per SLD)
CA#94-0655 HHG

~~SECRET~~
CLASSIFIED BY G-3
DATE OF REVIEW FOR
DECLASSIFICATION OADR

Approved: JW Transmitted _____ (Number) _____ (Time) Per _____

SA 77D-8760

100-7260-1148 p. 7	Bufile #100-3-86
100-7319-116 p. 2	Bufile #105-355202
100-7490-40	Bufile #100-380741
100-7501-6 p. 3	Bufile #100-3-72
100-8743-1 p. 9	Bufile #100-181329
100-9925-1239 p. 2	Bufile #100-427226

In reference SA file 100-4164-9 an FD-302 dated 8/17/57, concerns the interview of ALFRED KAHN at University City, Missouri, by Special Agent ALLEN H. SMITH (SL file 100-16979) wherein KAHN stated that HALLIE WOOD had married JOHN HENRY FAULK, a merchant seaman and they were subsequently divorced. KAHN stated that FAULK had been an English teacher at the University of Texas and a disc jockey in New York. KAHN stated that he did not know if FAULK had been a member of the Young Communist League or not, but that it was his impression that FAULK had been a member of the Communist Party.

In a memorandum dated 8/19/59 (SA file 100-0-16085) a Dr. H.H. RANSON, Vice President and Provost, the University of Texas at Austin advised SA GEORGE W.H. CARLSON that during the thirties a number of students at UTAT, to include JOHN HENRY FAULK, were suspected of being communists, and he (RANSON) was certain they were.

RANSON also advised that he had received information from ALLAN LUDDEN, Columbia Broadcasting System, New York, that JOHN HENRY FAULK was a complete failure with CBS and associated with "the wrong people".

RANSON also stated that he had received a letter of application from JOHN HENRY FAULK but had turned it down.

In reference SA file 100-7260-1148, a memorandum dated 4/7/64, from SA B.E. DEFFENBAUGH, JR. a source furnished a list of gummed labels which included the name Mr. JOHN HENRY FAULK, 1812 Airole Way, Austin, Texas 78704.

This memorandum was entitled "CP, USA, Southern Region, San Antonio Division Organization; IS-C."

SA file [redacted] captioned [redacted] contains information regarding efforts of local groups affiliated with PLFP to secure FAULK as a speaker at meetings and demonstrations. (S) U b6 b7C b7E

VZCZCWF0105

RR HQ AX

DE WF 0037 220 2245

ZNR UUUUUU

R 07 2154Z AUG 84

FM WASHINGTON FIELD (77D-111784) (C-2)

TO DIRECTOR, FBI (77-NEW) (ROUTINE)

FBI, ALEXANDRIA (ROUTINE)

BT

UNCLAS

BERNARD FENSTERWALD, JR., CONTRACT PERSONNEL INVESTIGATION;

OO:BU BUDED: 6/8/84 D

RE DIRECTOR'S AIRTEL TO ALEXANDRIA, 5/24/84, APPLICANT

HAS INDICATED HE AND [redacted], HAVE

INCORPORATED THEMSELVES AS A LAW FIRM, FENSTERWALD AND

FENSTERWALD, 100 WILSON BOULEVARD, ARLINGTON, VA.

LEAD. ALEXANDRIA. AT ALEXANDRIA, VA. VERIFY INCORPORATION OF

ABOVE MENTIONED LAW FIRM AND VERIFY SELF-EMPLOYMENT OF THE

APPLICANT.

BT

0037-1

NNNN

7 AUG 84 22 43Z

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

b6
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77-44206-50X16

NOT RECORDED

2 APR 23 1985

29 JUNE 1975

$560511

One Man's CIA File Trivia... a Mammoth Waste of Time'

By Mary Ellen Perry
Washington Star Staff Writer

Bernard Fensterwald, Washington lawyer and political activist who is convinced Lee Harvey Oswald did not act alone in assassinating John F. Kennedy, sat looking at a pile of documents that constitutes Fensterwald's CIA security file No. 560 511.

He looked up, shaking his head. "The stuff in my file is mostly trivia," he said. "It looks like a mammoth waste of time and effort."

AFTER BEING sued by Fensterwald, the CIA has sent him some 62 documents, consisting — among other items — of correspondence between himself and the agency, a batch of memorandums with many of the other references in them deleted and some newspaper clippings which, inexplicably, don't mention his name.

Fensterwald is among those U.S. citizens suspecting they were among the 300,000 persons said by the Rockefeller Commission on CIA activities to be listed in agency files.

Many Washington residents, members of various political activist groups here that were spied on by the CIA, are believed to be among those listed in the agency's computerized files.

According to Robert S. Young, CIA Freedom of Information co-ordinator, the agency has been tardy in supplying information to some citizens because the requests have swamped the staff at CIA headquarters in Langley, Va. He said nearly 800 requests, which are supposed to be answered by the agency in 10 days, have not been met.

THE AGENCY, according to a lengthy legal statement filed in U.S. District Court in Alexandria, withheld six documents stored in Fensterwald's file classified "secret" because they mention matters of national security, information concerning CIA activities or personnel abroad or names of persons investigated by or cooperative with the agency.

"I'm more impressed by the size of my file than by the contents," Fensterwald said, glancing around his elegant office in the Christian Science Monitor Building in the District. "If they spent this much time on mine, I wonder how much time they have spent on people they're really interested in."

The documents are in Fensterwald's hands because he sued the CIA in April under regulations of the Freedom of Information Act (FOIA) that require the intelligence agency to disclose on demand contents of his or any of the other hundreds of thousands of such files kept on the domestic activites of Americans.

FENSTERWALD knows that his long public career as counsel to Senate investigative committees, as counsel to convicted Watergate conspirator James W. McCord Jr. and, briefly, as counsel to James Earl Ray, convicted assassin of Dr. Martin Luther King Jr., make him a likely target for CIA interest. In addition, his formation of a private commission to investigate the Kennedy and King slayings and his frequent criticism of government agencies are bound to attract special attention, he acknowledges.

Most other people who may suspect they are the subject of CIA dossiers don't know their file numbers, however, or precisely why the agency would be concerned with them.

Fensterwald wanted not only the opportunity to study his file, he also wants a federal judge to examine the "secret" documents to see if they should be released under the FOIA. The CIA, on the other hand, wants the judge to accept its ruling that the classified materials should remain so without the judge having to read them and make up his own mind.

A SEPTEMBER hearing has been set in Alexandria to consider the question.

Meanwhile, Fensterwald is poring over the items released to him so far by the intelligence agency. "Here's the complete transcript — about 50 pages — of a radio interview I did some years ago here in Washington on the assassinations," he mused, picking up a thick document.

"Here's a memo duly noting a meeting my law partner and I had with a CIA lawyer in Fairfax (headquarters of the agency)," he said. "The fact that my partner was with me is properly recorded along with *his* security file number."

Fensterwald had asked for the meeting, he recalled, to discuss his theory that the CIA had photographs of a "second Oswald," a man Fensterwald insists was trying to get from Mexico City to Russia by way of Cuba just weeks before John F. Kennedy was shot. "We know he wasn't 'our' Oswald because he was in this country at that time," Fensterwald said.

Some of the memgs are so heavily deleted that he can't make out the context, Fensterwald said. The names of other people mentioned in the papers are neatly blocked out, the CIA court memo says, because to reveal them would be to cause their privacy to be invaded.

"DURING THE course of an investigation," the CIA court statement says, "an agency will frequently compile data about individuals which, if revealed, would tend to compromise their privacy."

"For example," it explains, "Document No. 44 contains a reference to the fact that one individual was the subject of an investigation by the FBI because of alleged subversive activity and was reported to have been a member of the Communist party."

continued

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmy

77-44206-50X17

"Other documents," the memo says, "consist of computer printouts of the names of other individuals which were included in (Fensterwald's) file."

Fensterwald said he does not know who the individuals are whose names are deleted, except for one reference made by the CIA to persons who spoke at a Georgetown University conference on the Kennedy assassinations he sponsored in 1973.

The CIA apparently is concerned with protecting the privacy of many other individuals whose names wound up in Fensterwald's file, according to the agency's court memo.

"THE FACT that an individual has a security file within the CIA is easily misunderstood by the general public for it does not necessarily indicate in any way that such individual is considered to be a member of a subversive organization or otherwise a security risk to the interest of the United States," the memo explains.

Instead, the agency says, persons may be the subject of security files simply because they have been CIA employes or have had "contractural relationships" with the agency, "including access to classified data."

In addition, the memo says, some of the information on "third parties" mentioned in Fensterwald's file "is, or might be considered, derogatory."

Other intelligence sources, the memo notes, "frequently occupy positions of prominence in their respective communities and their cooperation with the CIA is one of their most carefully guarded secrets. It would also be extremely embarrassing in many instances if such individuals' association with the CIA became known, and hence the revelation of such association would constitute a clearly unwarranted invasion of such individuals' privacy."

"IT SEEMS to me we're in pretty bad shape if a citizen who is cooperating with the CIA would be embarrassed by it," Fensterwald commented.

The CIA memo noted that some of the documents in Fensterwald's file were heavily edited or withheld entirely to protect foreign intelligence sources, locations of CIA stations and agents abroad, matters vital to national defense or foreign policy and interagency communications, all exempt from disclosure under the FOIA.

The memo was filed in Alexandria federal court in support of the CIA's motion to dismiss Fensterwald's suit, or alternatively, to request a summary judgment.

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attention: [redacted])

Date November 9, 1984

b6
b7C

From : Lloyd E. Dean
Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : REQUEST FOR EXPEDITE
BACKGROUND INVESTIGATION,
RE: BERNARD FENSTERWALD, JR.

INFORMATION MEMORANDUM

All portions of this document are unclassified unless otherwise noted.

Reference DOJ memorandum, dated May 18, 1984, captioned as above.

Enclosed for your review is a pending summary of BERNARD FENSTERWALD's full-field background investigation which is ~~classified~~. Divorce verification and education from 1954 and 1955 will be forwarded to you upon completion.

1 - ENCLOSURE
Enclosure

~~CONFIDENTIAL~~ MATERIAL ATTACHED

77-44206

1 - [redacted]
1 - [redacted]
(Attention: [redacted])

JSD:lal
(5)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

b6
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Photo Req. Pending
NIS 6/12/91
mhf/lmf

Information sent based upon a telephone call to [redacted] NIS who advised NIS has an ongoing investigation at Fensterwald residence. [redacted] may be involved. Classified documents found

Obituary in Bufile 259-764 dated 4/3/91

77-44206-51

NOT RECORDED
20 NOV 28 1984

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Exec. AD-Adm.
Exec. AD-Inv.
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Asst. Dir.:
Adm. Servs.
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Ident.
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Legal Coun.
Off. of Cong. & Public Affs.
Rec. Mgnt.
Tech. Servs.
Training
Telephone Rm.
Director's Staff

68 JAN 24 1985

MAIL ROOM

FBI/DOJ

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FBI

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PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 8/13/84

TO: DIRECTOR, FBI
ATTENTION: SECURITY PROGRAMS UNIT
[redacted] JEH 5432

b6
b7C

FROM: SAC, ALEXANDRIA (77D-7102) (P)

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
BUDED: 6/8/84

Re Per request of FBIHQ 8/7/84.

Enclosed for the Bureau is one copy each of Alexandria files: 62-17; 62-0-219; 105-1031; 105-4485; and 190-12, which relate to the captioned applicant.

LEAD:

ALEXANDRIA

Will report remaining investigation including verification of self-employment as set forth in WFO teletype 8/7/84.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 5668 SLD/dmj

2- Bureau (Enc. 1)
1- Alexandria
FGS:smb
(3)

Encls. detached

77-44206-52

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

12 JUL

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
WASHINGTON FIELD	BUREAU	8/13/84	5/29 - 8/7/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY: SA [redacted] b6 b7C — TYPED BY: gbm

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

REFERENCES: WFOrept to BU, dated 6/21/84; WFOtel to Bu, 8/7/84; and WFO phone call with Bureau analyst on 8/10/84.

(RUC)

ADMINISTRATIVE: BUDED 6/8/84.

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

WFO Indices reveal no derogatory information identifiable with his references or his social acquaintances.

As the Bureau is aware, WFO Indices contain numerous references to the applicant regarding FOIPA matters, to include a civil suit against DOJ.

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ NO

APPROVED 2/ SAC — SPECIAL AGENT IN CHARGE

COPIES MADE:

2-Bureau (77-NEW)
1-WFO (77D-111784)

DO NOT WRITE IN SPACES BEI

77-44206-53
NOT RECORDED
2 APR 28 1985

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				A*
By				

Notations

4/088D

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: WASHINGTON FIELD b6 b7C
Date: AUGUST 13, 1984

Field Office File #: 77D-111784 Bureau File #: 77-NEW

Title:

BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Education at School of Advanced International Studies, John Hopkins University verified. No credit information available from that institution re the applicant. Employment with U.S. Senate Committee on the Judiciary verified through a current counsel of that Committee who commented favorably. Employment as an assistant clerk in the office of Senator Thomas Hennings, Jr. verified through records. Employment with Department of State from 1950 to 1956 could not be verified due to records destruction and inability to locate supervisors or co-workers. Reference, [redacted] contacted and commented favorably. Security check at Department of State negative due to destruction of records. No record found in the Department of Consumer and Regulatory Affairs, Corporation Division regarding the law firm Fensterwald and Fensterwald. b6 b7C

(RUC)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS: AT WASHINGTON, D.C.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

U.S. GPO:1975-0-575-841

WFO 77D-111784
EG:ams

INTERVIEW OF APPLICANT

The applicant, BERNARD FENSTERWALD, JR., provided the following information to Special Agent [redacted] FEDERAL BUREAU OF INVESTIGATION, Washington Field Office: b6 b7C

FENSTERWALD advised that, when he was employed with the U.S. DEPARTMENT OF STATE from 1950, to 1956, he was employed in the Office of Legal Advisor. The Legal Advisor at the time was ADRIAN FISHER. FISHER was replaced in 1953, by HERMAN PHLAGER. LEONARD MEEKER was the Assistant Legal Advisor throughout this time period.

FENSTERWALD was questioned regarding his current self employment as an Attorney in Washington, D.C. FENSTERWALD advised that until January, 1984, he was the sole proprietor of the law firm. In January, 1984, he formed a corporation with [redacted] b6 b7C which is now known as FENSTERWALD AND FENSTERWALD. Under the corporation, FENSTERWALD and [redacted] technically work for the law firm. The law firm is located at 1000 Wilson Boulevard, Washington, D.C. The law firm handles varied legal matters.

FENSTERWALD advised that he is also involved in the building in operation of storage warehouses. FENSTERWALD is a General Partner in a effort known as UU-STORE COMPANY. The other General Partner in this company is [redacted] b6 b7C

WFO 77D-111784
BPT:ams

EDUCATION

SCHOOL OF ADVANCED INTERNATIONAL STUDIES
JOHN HOPKINS UNIVERSITY
1740 Massachusetts Avenue, N.W.
Washington, D.C.

On August 2, 1984, BETTY BEAUCHAMP, Registrar, SCHOOL OF ADVANCED INTERNATIONAL STUDIES, JOHN HOPKINS UNIVERSITY, provided the following information regarding the applicant, BERNARD FENSTERWALD JR., to Special Agent (SA) [redacted], FEDERAL BUREAU OF INVESTIGATION (FBI), Washington Field Office: b6 b7C

The records of the above institution reflect that the applicant attended that institution from 1946, through 1949, and took ten courses of study achieving an approximate grade point average of 3.4. The applicant passed his Masters Oral Exam on August 18, 1949, and was awarded his Master of Arts in International Affairs on June 3, 1950.

Ms. BEAUCHAMP advised that the SCHOOL OF ADVANCED INTERNATIONAL STUDIES did not provide financial aid during the time the applicant attended that institution, and that no records existed which would pertain to any financial aid provided to the applicant.

WFO 77-111784
DMS:ld

THE U.S. DEPARTMENT OF STATE
23rd and "C" Street N.W.,
Washington, D.C.

On June 4, 1984, SA [redacted] conducted the following investigation regarding BERNARD FENSTERWALD JR. b6 b7C

[redacted], Personnel Assistant, advised that he could not locate any record of employment for the applicant. He advised that records going back to 1956 would not be kept. He advised that he could not identify any supervisors or co-workers. It should be noted that no supervisors were listed on the applicant's SF-86. b6 b7C

The applicant was recontacted on June 7, 1984, and provided the names of his supervisors at the U.S. DEPARTMENT OF STATE.

On June 12, 1984, [redacted] was recontacted and advised that he had no record for ADRIAN FISHER, HERMAN PHLAGER or LEONARD MEEHAR, the applicant's supervisors in the Legal Advisors Office. In view of the above and lapse of time since the employment, no further investigation is being conducted at STATE. b6 b7C

WFO 77D-111784
RCB:cgh

UNITED STATES SENATE EMPLOYMENT/RECORDS

On June 7, 1984, [redacted], UNITED STATES SENATE DISPERSEMENT OFFICE, provided the following information from the records of that office to SA [redacted]: b6 b7C

BERNARD FENSTERWALD JR., accepted an appointment as an assistant clerk in the office of United States Senator THOMAS HENNINGS JR., Missouri, on January 16, 1957. On April 19,1957, his title was changed to Administrative Assistant to Senator HENNINGS.

On Febuary 1,1959, he transfered to a position as Chief Council for the UNITED STATES COMMITTEE ON THE JUDICIARY. On April 1, 1961, his title was changed to Staff Director and Chief Council for the committee. On April 1, 1963, it was again changed to Chief Council. On January 16, 1969, he terminated from that position.

It should be noted that Senator THOMAS HENNINGS, JR., is no longer in office, and his staff is dispersed.

WFO 77D-111784
RCB:cgh

EMPLOYMENT UNITED STATES SENATE
COMMITTEE OF THE JUDICIARY

On June 18, 1984, [redacted] to the UNITED STATES SENATE COMMITTEE ON THE JUDICIARY provided the following information to Special Agent [redacted]: b6 b7C

[redacted] has known BERNARD FENSTERWALD JR., since approximately 1957. From 1959 through 1969 he served with MR. FENSTERWALD on the UNITED STATES SENATE COMMITTEE ON THE JUDICIARY [redacted] at that time was [redacted] and MR. FENSTERWALD was the Chief Council and Staff Director for the majority. [redacted] stated that MR. FENSTERWALD was a fine person and an excellent family man, a brillant lawyer and a outstanding Staff Director. He stated that during his thirty years with the UNITED STATES SENATE very few indiviuals that he has known have approached MR. FENSTERWALD in the areas of honesty, integrity, and effectiveness. b6 b7C

[redacted] advised that he has had no contact with MR. FENSTERWALD since he left the committee in 1969, however up through that time he had never had any reason to question his loyalty to the United States Government and never known him to abuse alcohol or use drugs of abuse. He highly recommended him for a position of trust. b6 b7C

[redacted] stated that he could think of no present employees with the UNITED STATES SENATE who would have worked with MR. FENSTERWALD as most of them have either retired or left for private employment elsewhere. b6 b7C

WFO 77D-111784
BPT:ams

REFERENCE

On August 2, 1984, [redacted], was contacted regarding the applicant, BERNARD FENSTERWALD, JR., by Special Agent (SA) [redacted], FEDERAL BUREAU OF INVESTIGATION (FBI), Washington Field Office, and provided the following information: b6 b7C

[redacted] has been FENSTERWALD's Dentist for the last thirty years, and has seen the applicant regularly, approximately every six months for dental care, additionally [redacted] has socialized with FENSTERWALD and his family. [redacted] and the applicant have a mutual interest in one particular breed of dog, and have frequent contact in order to discuss upcoming dog shows and other related matters. b6 b7C

[redacted] described the applicant as an extremely intelligent individual, who is an extrovert and a very pleasant person to be with. [redacted] was aware that the applicant had written a book pertaining to the applicant's own experience in regards to Watergate. [redacted] described the book as well written, but not outstanding. [redacted] is aware that the applicant is now practicing law, but has no direct knowledge as to FENSTERWALD's actual law practice. b6 b7C

[redacted] described the applicant as an extremely straightforward individual, who is thoroughly loyal to the United States, and he has no hesitation in recommending FENSTERWALD for access to classified or sensitive information, recommending FENSTERWALD for a position of trust and confidence. b6 b7C

Nothing of an adverse nature was known by [redacted] concerning the applicant, to include his character, reputation, integrity, patriotism, use of drugs or alcohol. Specifically, [redacted] stated that FENSTERWALD is a diabetic and refrains from the consumption of any alcohol. b6 b7C

WFO 77D-111784
EG:ld

SECURITY CHECK

Office of Security
DEPARTMENT OF STATE
Washington, D.C.

On June 11, 1984, [redacted], Release of Information Branch, Office of Security, DEPARTMENT OF STATE advised that the security file of BERNARD FENSTERWALD JR., born August 2, 1921, has been destroyed under the routing destruction of the old files.

b6
b7C

WFO 77D-111784
PA:gbm
1

Department of Consumer and Regulatory Affairs
Corporation Division
Washington, D.C.

On August 1, 1984, IA [redacted], checked the records at the above captioned agency regarding the firm, FENSTERWALD AND FENSTERWALD, and no record was located. b6 b7C

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9/17/84 UNCLAS E F T O PRIORITY

$SIP 1818497Z SEP 84

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5068 SLD/dmg

FM DIRECTOR FBI {77-NEW}

TO LEGAL ATTACHE LONDON {77D-939} PRIORITY

BT

UNCLAS E F T O

BERNARD FENSTERWALD, JR.; NONCONTRACT PERSONNEL INVESTIGATION;

00: BUREAU; BUDED: PAST

RELONDON TELETYPE DATED JUNE 14, 1984, CAPTIONED AS ABOVE.

THE DEPARTMENT OF JUSTICE HAS AUTHORIZED A FULL-FIELD BACKGROUND INVESTIGATION TO COMMENCE ON CAPTIONED INDIVIDUAL, DPOB: AUGUST 2, 1921, NASHVILLE, TENNESSEE, SSAN: 414-22-1934. FENSTERWALD IS A SELF EMPLOYED HISTORICAL RESEARCHER, WHO WILL HAVE ACCESS TO CLASSIFIED NATIONAL SECURITY INFORMATION.

CONDUCT INVESTIGATION IN ACCORDANCE WITH INSTRUCTIONS CONTAINED IN PART I, SECTION 77, AND PART II, SECTION 17, MANUAL OF INVESTIGATIVE OPERATIONS AND GUIDELINES. 77-4/4206-54

LONDON: VERIFY EDUCATION AT CAMBRIDGE LAW SCHOOL, CAMBRIDGE UNIVERSITY, CAMBRIDGE, LONDON, FROM 1954 UNTIL 1955.

NOT RECORDED
APR 21 1995

LED/ke USD:SC {3} 9/17/84 5432 3605

1 - [redacted]
1 - [redacted]
ATTN: [redacted]

RETURN TO [redacted]
ROOM 5432 JOB 243

b6
b7C

WITH NO DEGREE AWARDED.

BT

1

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

FD-36

FBI

TRANSMIT VIA:
- ☐ Teletype
- ☐ Facsimile
- ☒ Airtel

PRECEDENCE:
- ☐ Immediate
- ☐ Priority
- ☐ Routine

CLASSIFICATION:
- ☐ ~~TOP SECRET~~
- ☐ ~~SECRET~~
- ☐ ~~CONFIDENTIAL~~
- ☐ UNCLAS E F T O
- ☐ UNCLAS

Date 9/18/84

~~CONFIDENTIAL~~

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (77D-7102) (RUC)

BERNARD FENSTERWALD, JR.;
CONTRACT PERSONNEL INVESTIGATION

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.~~

Re Alexandria airtel to the Bureau dated 8/10/84.

All individuals contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

Alexandria search through ~~confidential~~ indices revealed numerous references to the employee and [redacted]. Alexandria indices search produced numerous freedom of information acts requests which the employee had intiated. The employee was also identified as a member of the "COMMITTEE TO INVESTIGATE ASSASSINATIONS, INCORPORATED." [redacted] b6 b7C b7E

[redacted] (C) (U)

Alexandria noted that the employee was a former member of the Judiciary Committee of the United States Senate and had also been self-employed as an attorney in the District of Columbia. Alexandria search revealed no other information on any other pertinent individuals. (U)

REFERENCES 77-44206-55

[redacted] was b6 b7C interviewed at his office on September 6, 1984, and he stated

2-Bureau
1-Alexandria
HEB:lwc
(3)

~~Classified by 5668 SLD/dmj~~
~~Declassify on: OADR~~
8/3/94
CA#94-0655 HHG

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 SLD/dmj

Approved: _____ Transmitted _____ (Number) (Time) Per _____

☆ U.S. Government Printing Office: 1984—431-613/6249

~~CONFIDENTIAL~~

that he first met the employee thirty-six or thirty-eight years ago. [redacted] stated that he has known the employee both as a friend and as a patient over the years. [redacted] stated that he is a medical doctor and that he has been employee's family doctor for the last thirty-six or thirty-eight years. [redacted] stated that he has always respected the employee and that he considers the employee to be a very loyal and a very good individual. [redacted] stated that in all the years that he has known the employee, he has never had any reason to distrust the employee or to think poorly of him. [redacted] stated that he would "trust him one hundred percent." [redacted] stated that the employee is an attorney but that he is financially very well off and that he has effectively retired from his law practice and that his son has basically inherited the law practice. [redacted] stated further that the employee has an avid interest in political assassinations, especially the assassination of President KENNEDY and that, because of his financial background and his independent nature, the employee is able to devote a great deal of his time being independently employed in the pursuit of writing and studying political assassinations. [redacted] stated that the employee is a very good man and that he is also very reliable and responsible. [redacted] stated that the employee has a good reputation both professionally and with his social friends. [redacted] stated that he considers the employee to be a very loyal American and that he considers him to be very patriotic. [redacted] stated that he is very confident that the employee would be able to adaquately handle the trust and confidences which he would encounter in his endeavors and for whatever reason he is seeking his security clearance. [redacted] stated that he assumed that the employee is seeking a security clearance because that would enable him to further conduct his investigations and scholarly research into the field of political assassinations. [redacted] stated that for a number of years, the employee has been very interested in studying the assassination of President KENNEDY and trying to develop another theory behind who the assassin was. [redacted] stated that he did not know anything of a derogatory nature concerning either the employee, his associates or any organizations to which the employee might belong. [redacted] also stated that he knew that the employee did not use illegal drugs and he also stated that the employee does not abuse alcohol. [redacted] advised that the employee is a diabetic and that he has to severely restrict his intake of alcohol. [redacted] stated that he would recommend the employee for any necessary security clearances because he feels the employee is a very trustworthy and patriotic individual and that, in no way, would he constitute any threat to national

b6
b7C

CONFIDENTIAL

security. [redacted] also stated that the employee could be safely entrusted with any confidential matter which he would be able to examine in the course of his research. b6 b7C

MISCELLANEOUS

Divorce Verification

On August 9, 1984, IA [redacted] caused a search to be made of the files of the Arlington County Circuit Court, Alexandria, Virginia. b6 b7C

The files contained chancery file number 15635 which revealed that on May 26, 1965, the complainant ELIZABETH FENSTERWALD, 2016 North Adams Street, Arlington, Virginia, filed a bill of complainant against the defendant, BERNARD FENSTERWALD, JR., 883 North Kentucky Street, Arlington, Virginia, for a divorce on the grounds of having lived separate and apart without any cohabitation and without interruption since February, 1963.

The parties were lawfully married on June 4, 1947, in Alexandria, Virginia. There was one child born of said marriage, to wit: [redacted], who is in the custody of the defendant. b6 b7C

On August 19, 1965, the complainant was granted a final decree of divorce from the defendant on the grounds stated above. The defendant was granted custody of the child with reasonable visitation rights reserved for the complainant. The defendant was also ordered to pay $500 per month for alimony onto the complainant as well as the sum of $250 to MRS. ALLANSON (mother-in-law), Alexandria, Virginia, in lieu of additional payments to complainant for the support of MRS. ALLANSON.

The file contained no additional pertinent information.

CONFIDENTIAL

VZCZCLON234 2991238

P 250809Z OCT 84

FM LEGAL ATTACHE LONDON (77D-939)(RUC)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

UNCLAS/E F/T O

BERNARD FENSTERWALD, JR.; NCPI. OO: BUREAU

BY LETTER RECEIVED OCTOBER 24, 1984 DR. R.D. LETHBRIDGE, FITZWILLIAM COLLGE, UNIVERSITY OF CAMBRIDGE, CAMBRIDGE, ENGLAND, ADVISED THAT ACCORDING TO COLLEGE RECORDS APPLICANT WAS ENROLLED FOR THE 1954-55 ACADEMIC YEAR, AND THAT APPLICANT SUBSEQUENTLY WITHDREW FROM THE COURSE OF STUDY FOR HIS M.LITT. DEGREE. FITZ-WILLIAM COLLEGE COULD PROVIDE NO FURTHER INFORMATION WITH REGARD TO APPLICANT'S ATTENDANCE.

General Applicants Unit, Room 5155
TL 233

ADMINISTRATIVE:

REBUTEL TO LONDON SEPTEMBER 18, 1984. 77-44206-56

ABOVE MATTER WAS HANDLED BY THE SECURITY OFFICE, AMERICAN EMBASSY, LONDON. INFORMATION WAS ONLY PROVIDED AFTER NUMEROUS INQUIRIES BY THAT OFFICE.

BT

NOT RECORDED
APR 26 1985

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/11/94 BY 5660 SLD/dmj
CA # 94-0655 HHG

MNNN

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attention: [redacted])

Date December 14, 1984

b6
b7C

From : [redacted]
Acting Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : SECURITY CLEARANCE FOR
CONTRACT PERSONNEL
RE: BERNARD FENSTERWALD, JR.

INFORMATION MEMORANDUM

Reference FBI memorandum, dated November 9, 1984, captioned as above.

Records on file at the ARLINGTON COUNTY CIRCUIT COURT, Alexandria, Virginia, revealed that ELIZABETH FENSTERWALD, filed for divorce from BERNARD FENSTERWALD, JR., on May 26, 1965. On August 19, 1965, ELIZABETH FENSTERWALD was granted a final divorce from BERNARD FENSTERWALD, JR., on the grounds of living apart, without cohabitation or interruption, since February, 1963.

This completes the background investigation of BERNARD FENSTERWALD, JR.

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

Memorandum

12356 4.3(a)(b) 17.96(e)

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date 3/15/88

b6
b7C

From : Gary L. Stoops, Security Programs Manager (SPM)
Federal Bureau of Investigation (FBI)

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

ACTION MEMORANDUM

Reference FBI memoranda to DOJ dated 11/9/84 and 12/14/84, and telephone conversation between [redacted] of your staff and [redacted] Freedom of Information and Privacy Act Section, Records Management Division (RMD), FBIHQ, 12/17/87.

b6
b7C

In accordance with Department Order 2620.6, entitled "Procedures for Requesting a Department of Justice Security Clearance for Non-Contractor Personnel Outside the Executive Branch" a "Top Secret" security clearance is being requested for the below listed individual:

BERNARD FENSTERWALD
DPOB: August 2, 1921
Nashville, Tennessee
SSAN: 414-22-1934
BUSINESS ADDRESS:
Fensterwald Associates
Arlington, Virginia

On May 16, 1985, BERNARD FENSTERWALD, JR., as an "historical researcher," made a specific request to the FBI to examine certain file(s) from the FBI's list of JFK assassination files, which involves National Security Information (NSI).

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

3-17-88

Memorandum from Gary L. Stoops to Mr. D. Jerry Rubino
Re: Bernard Fensterwald, Jr.

BERNARD FENSTERWALD, JR. was the subject of a favorable applicant type background investigation by the FBI in 1984 entitled, "Request for Expedite Background Investigation Regarding Bernard Fensterwald, Jr."

Based on recent telephonic conversation with DOJ, D. Jerry Rubino Department Security Officer, requested that the FBI update FENSTERWALD's 1984 investigation by conducting a name and fingerprint check on him and submit the results and the request for a "Top Secret" security clearance to DOJ, Security Officer, in writing.

The central files of the FBI disclosed that besides FENSTERWALD's 1984 investigation, he was the subject of two other favorable applicant-type investigations by the FBI, one in 1949 entitled, "Bernard Fensterwald, Jr., Departmental Applicant-Anti-Trust Division," and one in 1959 entitled, "Bernard Fensterwald Jr., Special Inquiry - Senate Judiciary Committee."

No other pertinent information was contained in our files.

A review of records, Identification Division, FBI Headquarters was negative regarding BERNARD FENSTERWALD, JR.

DOJ Security Office is requested to furnish the appropriate Security Briefing Package to the SPM, FBI regarding BERNARD FENSTERWALD, JR.

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date July 8, 1988

b6
b7C

From : Gary L. Stoops, Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

INFORMATION MEMORANDUM

Reference DOJ memorandum, dated March 17, 1988, captioned "Request for a Top Secret Clearance."

Enclosed are the signed DOJ Acknowledgment form and National Security Information Briefing Acknowledgment form for Fensterwald.

This completes Bernard Fensterwald, Jr.'s, background investigation.

When Fensterwald no longer requires access to national security information, you will be advised.

Enclosures (2)

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

U.S. Department of Justice

MAR 17 1989

Washington, D.C. 20530

Dear Bernard Fensterwald, Jr.:

Subject: Access to DOJ Classified National Security Information

In accordance with 28 CFR Part 17, this office has granted you a Top Secret clearance for access to classified National Security Information and material classified up to and including Top Secret by the Department of Justice (DOJ). This clearance is limited to those documents for which you have a need-to-know.

This clearance is limited to information or material classified by or in the custody of the DOJ and information or material related to the performance of your duties only and is contingent upon your becoming familiar with and your agreement to comply with and adhere to the provisions of the enclosed regulation, when handling classified information.

Accordingly, you are requested to review the enclosed regulation and to sign the certification as set forth below.

Sincerely,

D. Jerry Rubino
Department Security Officer

Enclosure

To: Department Security Officer
Room 6525, Main Justice Building

This is to certify that I will read and will become familiar with the subject regulation. I shall comply with the requirements thereof.

Name: B. J. Fensterwald Jr. Date: 6/15/88

Note:

Please return this original signed document in its entirety.

RETURNED FOR DOJ AUTHORITY
DELEGATED TO SPM [illegible]
RETAINED BY FBI

U.S. Department of Justice

Washington, D.C. 20530

NATIONAL SECURITY INFORMATION (NSI) BRIEFING ACKNOWLEDGMENT

I, the undersigned, have received a briefing explaining my obligation to fully protect classified ~~SCI~~ NSI and sanctions that may result from unauthorized disclosures.

~~SCI~~ NSI ACCESS: Top Secret

DATE BRIEFED: 6/15/88

PRINTED NAME: Bernard Fensterwald, Jr.

SIGNATURE: B J Fensterwald Jr

SOCIAL SECURITY NO: 414-22-1934

ORGANIZATION: assassination archives + Research Center

WITNESS: [redacted] b6 b7C

ORGANIZATION: FBI

AUTHORITY TO [illegible] AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1319244-0

Total Deleted Page(s) = 4
Page 2 ~ Duplicate;
Page 18 ~ b1 - per Army;
Page 19 ~ b1 - per Army;
Page 20 ~ b1 - per Army;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF 2-9-56 DATE

CONFIDENTIAL

CLASS. & EXT. BY 638 URTSW/sp
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 7-16-82

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Mr. Tolson
Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Mason
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Nease
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

AIRTEL

FBI WASH FIELD (X)U

2/23/56 (C) (U)

DIRECTOR

BERNARD FENSTERWALD, Jr.
IS-R (C) (U)

A highly confidential source, who has furnished reliable info in the past, whose identity may not be disclosed, (documentation , anonymous), advised on 2/21/56, that [redacted] (U) b3 b7E

According to source, [redacted] (U) b3 b7E

WFO indices reflect no record of subject's wife. (X)U

Sub believed identical with subject of case captioned "BERNARD FENSTERWALD, Jr., Dept. Appli, Anti-Trust Division." Bufile 77-44206. Memphis note Butel dtd 8/18/49, which reflects appli resided Clarendon Ave., Nashville Tenn. WFO investigation of appli in 1949, revealed no pertinent derogatory info.

The criminal files of the Metropolitan Police Dept., WDC, checked by SE [redacted] 2/21/56 (C) revealed no record of subject. Traffic records reflect sub has record of four parking violations with $3.00 fine paid in each instance. (X)U (U) b6 b7C

Files of D. C. Credit Bu as reviewed by SE [redacted] 2/21/56, reflect credit report of 6/23/54, on Mrs. ELIZABETH FENSTERWALD, age 30, husband BERNARD FENSTERWALD, Jr.. Report reflects husband is native of Nashville, Tenn., former student Harvard Univ., LLB 6/49, and employed with (X)U (U) b6 b7C

3 - Bureau
2 - Memphis
2 - WFO (105-new)
1 - [redacted]
(7)

RECORDED - 105-44852-1 b7E

WFO:slm

FEB 29 1956 (C) (U)

Mr. Belmont

FBI - INJUSTICE RECD BELMONT

AIRTEL

CONFIDENTIAL

Dept. of State since 1/50. Residence revealed as 851 N. Lexington St., Arlington, Va. Previous residence 2016 F. St., N.W, WDC. No unfavorable info regarding credit of sub and wife. It is noted source advised wife of sub is named BLANCHE. (X)U

Current State Dept. directory lists BERNARD FENSTERWALD, Office of Assistant Legal Advisor, United Nations Affairs, Rm 210 State Annex #7, Tel. extension 4566. This info is confirmed by telephonic inquiry of SA [redacted], with State Dept. info on 2/21/56. (X) (U)

b6
b7C

Memphis will check files and advise Bu and WFO of any derogatory info contained therein. (X) U

In absence of info indicating sub has been granted or authorized a Soviet visa, no further action is being taken by WFO in this matter, UACB. C. (X) U

(X) (U)

LAUGHLIN

LBL

[FEB 52 2 00 PM 22] (X) (U)

F B I

~~CONFIDENTIAL~~

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

G. I. R.

FBI

~~CONFIDENTIAL~~ AIR-TEL

Date: February 28, 1956 (C) (U)

Transmit the following message via _____

(Priority or Method of Mailing)

Mr. Tolson
Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Mason
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Nease
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

From SAC, MEMPHIS

To: DIRECTOR, FBI

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
7/20/94 Classified by 5668 SUD/dmg
Declassify on: OADR
CA #94-0655 HHG

BERNARD FENSTERWALD, JR.; IS - R. (C) (U)

Re WFO air-tel 2/23/56. (C) (U)

Indices this Office negative except report of SA FRANCIS W. NORWOOD, 8/26/49, to Memphis, captioned "BERNARD FENSTERWALD, JR., DEPARTMENTAL APPLICANT - ANTITRUST DIVISION," Bufile 77-44206. This report contains no derogatory information regarding loyalty or security except that names of Mrs. B. FENSTERWALD, JR., and ANN FENSTERWALD, Belle Meade Park, Nashville, Tenn., were on list of delegates and members of the SCHW at third meeting, April 19-21, 1942, at Nashville. Associates of FENSTERWALD family in Nashville recommended them highly in 1949 and speculated that any membership of the family in the SCHW was due to prominence of that organization in Nashville at that time and the fact that various prominent Nashville citizens supported it.

It will be noted that subject's mother was BLANCHE FENSTERWALD and he had a sister ANN FENSTERWALD who resided in the Belle Meade Section of Nashville.

RUC.

Mr. Belmont

Airtel ✓
Teletype
A. M.
A. M. S.
Spec. Del.
Reg. Mail
Registered

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF DATE 10/2/79 Class

10/1/79 CLASS. & EXT. BY SP-1 7-16-82 / 8-23-94 5668 SUD/dmg
REASON - FCIM 11, 1-2. 4. 2.
DATE OF REVIEW 10/1/89 DSK/ghw

PIPER

105-44852-2

RECORDED-52 INDEXED-52 MAR (C) (U)

3 - Bureau (RM)
2 - Washington Field (105-NEW) (RM) (C)
1 - Memphis (77-882)
1 - Memphis [redacted] (C) (U)
JHK:mjh
(7)

b7E

FBI/DOJ

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

~~CONFIDENTIAL~~

71 MAR 8 1956 (C) (U)

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81581

Office Memorandum • UNITED STATES GOVERNMENT

CONFIDENTIAL

TO : Mr. Nease DATE: May 23, 1958

FROM : M. A. Jones

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE. DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE 8/23/94 5668 SLD/dmy

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Holloman
Gandy

SUBJECT: BERNARD FENSTERWALD, JR.
ADMINISTRATIVE ASSISTANT TO
SENATOR THOMAS C. HENNINGS, JR. (DEM.-MO.)

Per your request, the following data from Bufiles has been obtained re captioned individual.

Fensterwald was the subject of a departmental applicant investigation for the Anti-Trust Division in 1949. He was born in 1921 at Nashville, Tennessee, and graduated from Harvard Law School in 1949. No derogatory information re Fensterwald was developed, except it was ascertained that the names of Mrs. B. Fensterwald and Ann Fensterwald, Belle Meade Park, Nashville, Tennessee, appeared on a list of delegates of the Southern Conference for Human Welfare (cited organization) in 1942. Fensterwald had a sister named Ann and mother named Blanche, but it was not conclusively established that they were the individuals who attended the above-mentioned conference. (77-44206)

[redacted] b3 b7E

105-50350) (U) 105-44852, (U)

CLASS. & EXT. BY SP-4 DSK KBW 10/11/79
REASON - FCIM 11, 1-2.4.2 (2) (3)
DATE OF REVIEW 10-1989

[redacted] b6 b7C b7D

Fensterwald was also involved in the request to the Bureau from the Senate Subcommittee on Constitutional Rights for a list of instances wherein we had furnished information to members of Congress. It will be recalled that Nichols talked to Senator Hennings in Fensterwald's presence and that Hennings stated that the request was improper and offered his apologies. Mr. Nichols reported that since that occasion Fensterwald had gone out of his way to be helpful to the Bureau. (66-18621-269)

REC- 85 105-44852-3

RECOMMENDATION: None. For information.

20 JUN 10 1958

1 - Mr. Nease

FBS:lmh
(3)

1-26-94
Classified by 5668 SLD/dmy
Declassify on: OADR
CA 94-0655 HAG

50 JUN 13 1958

CRIM REC

CONFIDENTIAL

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 1/7/59

FROM : G. A. Nease

Tolson
Belmont
Mohr
Parsons
Rosen
Tamm
Trotter
Nease
Tele. Room
Holloman
Gandy

SUBJECT: BERNARD FENSTERWALD
ADMINISTRATIVE ASSISTANT TO
SENATOR HENNINGS

I have been reliably informed that the above individual is now out as Administrative Assistant to Hennings and that his place will probably be filled by Gordon Harrison, who is presently Chief Clerk and Counsellor of the Senate Rules Committee.

Fensterwald has been no friend of the FBI. He has a bad background and is looked upon as a leftist. While I do not know Harrison, I understand that he is a very sound and substantial individual, is from Arizona and is looked upon as a Senator Hayden man. If he does take the position with Hennings, I shall make it a point to get acquainted with him.

1 - Mr. Jones

GAN:hpf:ejp
(3)

Agree 5d08 SLD dmj 7/26/94 CA# 94-0655
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/1/79 BY SP-1 DSK/ghw

105-4485-2
NOT RECORDED
145 JAN 12 1959

12 JAN 9 1959

CRIME REC.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Belmont

DATE: July 20, 1965

FROM : J. H. Gale

SUBJECT: SENATE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURES (LONG COMMITTEE) SENATE JUDICIARY COMMITTEE

On the late evening of July 20, 1965, [redacted] of the Organized Crime and Racketeering Section of the Department, confidentially advised that in connection with the Long Committee hearings he has been in attendance at certain of the sessions in which Internal Revenue Service agents were questioned by Long Committee investigators. According to [redacted], the press in attendance at these sessions have frequently raised with Bernard Fensterwald, Committee Counsel, the next areas of inquiry that the Committee will investigate.

b6
b7C

Some reporters have inquired of Fensterwald whether the Committee intends to expand its inquiry into the activities of the security agencies. In response to a question as to whether the Committee intended to inquire into FBI activities, Fensterwald told the reporter to direct his question to Senator Long, inasmuch as the FBI was a "sacred cow."

According to [redacted], the Committee intends to pursue Internal Revenue Service activities in Miami, San Francisco and Brooklyn, New York.

b6
b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10/11/79 BY SP-1 DSC/glw

Agree 5068. 7/24/94 CA #94-0665

ACTION

As additional information is received in this connection, it will be brought to your attention.

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Belmont
1 - Mr. Gale
1 - Mr. McAndrews
1 - Mr. Kelly

105-44852

RECORDED
JUL 29 1965

16 JUL 28 1965

McA:ral
(8)

54 AUG 5 1965

ORIGINAL FILED IN 62-90824-8

(C) (10-1-71) b1 per Army

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 04-07-2015 BY ADG/C32W33B91

13003 3 pgs

FBI NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

~~CONFIDENTIAL~~

Memorandum

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

CLASSIFIED BY: SP4-BJA-MLB
REASON: 1.5 (c,d)
DECLASSIFY ON: X1, X6
12-6-96
#35159

TO : Acting Director, FBI ( ) DATE: 11/13/72

FROM : Legal Attache, Bonn (105-7501-1779) (X) (RUC)

SUBJECT: BERNARD FENSTERWALD, JR.
IS-EG (C)
(OO:WFO) (U)

7-16-82 / 8/23/94 5668 SLD/dmg

7/26/94 5668 SLD/dmg
Classified by
Declassify on: OADR
CA# 94-

File copy in 62-112697

(C) b1 per Army

Request enclosure(s) _____ be translated ☐ in summary ☐ verbatim and enclosure(s) and translation sent to interested field division.

(C) b1 per Army

REMARKS: (all Army info) Class. retained per Army letter 1-16-80
REASON - FCIM 11, 1-2. 4.2 (2) (3)
DATE OF REVIEW 11-13-92

(C) b1 per Army

Reporting and classification instructions must be stricted observed on Form

UNRE COPY AND COPY ENCL FILED IN

(C)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

ENCLOSURE ST-102 REC-73 105-44852 - 4

REC 17

NOV 20 1972

3 X - Bureau (Enc. 1)
1 - XXX Foreign Liaison Desk
2 - Bonn
1 - 105-7501-1779
1 - [redacted]

ESPIONAGE (U)

b7E

TLC/jms
(5)

XEROX

DEC 14 1972

~~CONFIDENTIAL~~

CONFIDENTIAL MATERIAL ATTACHED

BON 105-7501-1779 (U)

A check of Bonn's indices reflected a reference to the "Committee to Investigate Assassinations, Inc.," 927 15th St., N.W., Washington, D.C., which came to attention in connection with Bonn's destroyed file regarding "Committee for "The Investigation of the Three Assassinations': Information Concerning - Miscellaneous (FPC)" (Bufile 163-26234). Bonn indices are negative concerning subject. (U)

[redacted] Rev. 8-15-72)

(C)

b1 per Army

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-07-2015 BY ADG/C32W33B91

~~CONFIDENTIAL~~

CLASSIFIED DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 SLD/dmj

[redacted] (C)

b1 per Army

CLASSIFIED BY: SP4-BJA-NLB
REASON: 1.5 (c,d)
DECLASSIFY ON: X1,X6
#351592
7-9-91

7/26/94
Classified by 5668 SLD/dmj
Declassify on: OADR
CA # 94-0655 HHG

CLASS. & EXT. BY ~~G33 VRW~~
REASON-RCIM II, 1-2 4.2 2
DATE OF REVIEW 7/9-91
per Army letter 1-16-80

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

~~CONFIDENTIAL~~

CLASSIFIED BY another government agency
EXEMPT FROM GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
EXEMPTION CATEGORY II
AUTOMATICALLY DECLASSIFIED ON indefinite

XEROX
DEC 14 1972

105-47532-4

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

FBI

~~CONFIDENTIAL~~ Date: 9/9/74 (C) (U)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL

CLASS. & EXT. BY 638 URTEB
REASON-FCIM II (1-2.4.2)
DATE OF REVIEW 4-29-94

TO: DIRECTOR, FBI

CONFIDENTIAL

FROM: SAC, WFO (105-New) (RUC)

UNSUB; [redacted] (C) (U)

[redacted]; Driver of Ford Thunderbird Bearing 1974 Virginia License DGM 693

IS-R
(OO:AX)

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF 10/2/74 DATE

~~CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)~~
~~DATE: 8/23/94 5068 SLD/dmg~~

7.11.82

[redacted]. License is registered to [redacted] and BERNARD FENSTERWALD, JR., both of 811 Prince Street, Alexandria, Virginia, for 1956 Ford Thunderbird Sedan, PER (C) (U)

b6
b7C
b7E

VEIN CHECK.

~~CONFIDENTIAL~~

105-44852-5

Classified by 6121
Exempt from GDS, Category 3
Date of Declassification Indefinite

Declassify on: 5068 SLD/dmg
7/26/94
Classified by 5068 SLD/dmg
DECLASSIFIED BY 60324 UC/baw/sr
CIA #94-0554HC

(2) - Bureau
2 - Alexandria
3 - WFO
(1- [redacted] (C) (U)
(1-105-15080)

REC 22
EX-103
MCT-23
CH 4T

b7E

RGL/jgk
(7)

10/1/79
CLASS. & EXT. BY SP-1 RSK/gbw
REASON - FCIM 11, 1-2, 4.2 (2)(3)
DATE OF REVIEW 4/29/94

SEP 17 1974 (C) (U)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

~~CONFIDENTIAL~~

U.S.Government Printing Office: 1972 — 455-574

UNSUB described as follows: (C) (U)

Race:	White
Sex:	Male
Age:	45-48
Height:	5'9"
Weight:	165
Hair:	Dark
Complexion:	Medium
Attire:	White shirt, blue sport coat, gray plaid slacks, black shoes, glasses

(U) (C)

[redacted] b7E

[redacted] (C) (U)

WFO indices contain no information identifiable with [redacted] or captioned license number. WFO (U) b6 b7C indices reveal that BERNARD FENSTERWALD, JR., is the subject of WFO file 105-15080, BERNARD FENSTERWALD, JR., IS-EG. He (U) is a lawyer associated with Fensterwald & Ohlhausen, 905 16th Street, WDC and is the director of "Committee to Investigate Assassination." 811 Prince St., Alexandria, VA

Alexandria handle in accordance with instructions set forth in Section 105-N (C) Manual of Instructions. Furnish (U) WFO one copy of all communications containing the results of investigation for captioned 105 file. (C) U

By routing slip, WFO will furnish office of origin [redacted] b7E

[redacted] (C) (U)

~~CONFIDENTIAL~~

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

TO : DIRECTOR, FBI

~~CONFIDENTIAL~~ DATE: 10/22/74 (C) (U)

FROM : SAC, ALEXANDRIA (105-2679) (C)

~~CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC) DATE: 8/23/94~~
~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

SUBJECT: UNSUB;
[redacted]
(C) (U)
Driver of Ford Thunderbird
Bearing 1974 Virginia License DGM 693
IS - R
(OO: ALEXANDRIA)

b7E

~~CLASS. & EXT. BY SP-1 DSK/ghw 10/11/79~~
~~REASON - FCIM II, 1-2.4.2 (2)(3)~~
~~DATE OF REVIEW 4/29/94~~

7-16-82

Re WFO airtel to Bureau, 9/9/74. (C) (U)

Records of Alexandria, Virginia, Police Department contained no identifiable record pertaining to the registered owners of captioned vehicle as of 9/20/74. Registered owners of captioned vehicle are [redacted] and BERNARD FENSTERWALD, Jr., 811 Prince Street, Alexandria, Virginia. (C) (U)

b6
b7C

~~Classified by 5468 SP/dmg 7/26/94~~
~~Declassify on: OADR~~
~~CA#94-0655 HHG~~

Alexandria indices reflect that The Washington Post newspaper dated 10/31/71, page 2, described BERNARD FENSTERWALD as a former counsel to the Administrative Practices Subcommittee of the Senate Judiciary Committee.

Alexandria letter to Bureau dated 8/6/71 entitled "Committee to Investigate Assassinations, 927 15th Street, N. W., Washington, D. C.; Miscellaneous Information Concerning" described BERNARD FENSTERWALD, Jr., as the Executive Director of the Committee to Investigate Assassinations.

EXCLUDED REC-75 105-170061-2

Alexandria letter to Bureau dated 9/10/71, entitled

[redacted]

b6
b7C
b7E

(C) (U) 105-44852-6

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OR DATE

2-Bureau
2-WFO
(1-105-126536)
(1-105-15080)
1-Alexandria (105-2679)
RMC:ajt
(5)

(C) (U)

~~CLASSIFIED BY 3695~~
~~EXEMPT FROM GDS, CATEGORY 1 2 3 4~~
~~DATE OF DECLASSIFICATION: INDEFINITE~~

OCT 25 1974

~~CONFIDENTIAL~~

NOV 25 1974

~~CONFIDENTIAL~~

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

CONFIDENTIAL

AX 105-2679

WFO has advised that BERNARD FENSTERWALD, Jr., is subject of WFO file 105-15080, a lawyer associated with Fensterwald and Ohlhausen, 905 16th Street, Washington, D. C., and is Director of "Committee to Investigate Assassinations."

Records of the Credit Bureau, Inc., Washington, D. C., were checked on 9/30/74, and indicated that he, BERNARD FENSTERWALD, Jr., is an attorney and partner with the firm, Fensterwald and Ohlhausen, 910 16th Street, N. W., Washington, D. C., since January, 1969. (U)

Records of the Arlington, Virginia, Police Department indicate that BERNARD FENSTERWALD, Jr., 811 Prince Street, Alexandria, Virginia, born 8/2/21, SSAN 414-22-1934, white male, height 5'7", weight 140 pounds, brown hair and green eyes, was fined for speeding by that department on 1/20/52, and on 5/8/69, was warned for allowing a dog to run at large. The current Hill's City Directory for Alexandria, Virginia, indicates that BERNARD FENSTERWALD, Jr., 811 Prince Street, Alexandria, is an attorney in Washington, D. C.

In view of the similarities of UNSUB to the registered owner, BERNARD FENSTERWALD, Jr., it is considered likely that he was the UNSUB [redacted]. (U) b7E

UACB, no further investigation will be conducted [redacted] b7E

CONFIDENTIAL

CONFIDENTIAL

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1319244-0

Total Deleted Page(s) = 9
Page 3 ~ Duplicate;
Page 4 ~ Duplicate;
Page 5 ~ Duplicate;
Page 6 ~ Duplicate;
Page 16 ~ Duplicate;
Page 17 ~ Duplicate;
Page 18 ~ Duplicate;
Page 23 ~ Referral/Direct - 259-HQ-764 Serial 4/NCIS;
Page 25 ~ b7E;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXX

4-900 (3-2-88)

Memorandum

Exec AD Adm.	
Exec AD Inv.	
Exec AD LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
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Insp.	
Intell.	
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Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgnt.	
Tech. Servs.	
Training	
Off. Liaison & Int. Affs.	
Telephone Rm.	
Director's Sec'y	

AHM
GAS
JAB

To : Mr. A. H. McCreight
Assistant Director
Records Management Division (RMD)

Date 6/21/88

From : Mr. G. L. Atkins
Section Chief
Operations Section, RMD
encl 1
BERNARD FENSTERWALD JR.

Subject : SECURITY CLEARANCE INVESTIGATION PROGRAM
SPECIAL PROGRAMS - FREEDOM OF INFORMATION, REQUEST FOR HISTORICAL ACCESS.

PURPOSE: To initiate the captioned background investigation.

RECOMMENDATION: That a file for the captioned matter be opened. There is an existing 77-44206 file opened on the captioned individual. Records Section, please handle accordingly.

APPROVED:	Adm. Servs.	Laboratory
	Crim. Inv.	Legal Coun.
Director		Off. of Cong. & Public Affs.
Exec. AD-Adm.	Ident.	Rec. Mgnt. GAS
Exec. AD-Inv.	Inspection	Tech. Servs.
Exec. AD-LES	Intell.	Training

DETAILS: A request has been received from the DOJ Division that a security clearance be granted for the above individual in connection with the captioned program. In keeping with this request, a background investigation will be initiated and coordinated by a representative of the Industrial Security and Clearance Investigations Unit, Operations Section, Records Management Division. It is therefore recommended that a new file be opened.

Enclosure

259-
1 - Industrial Security and Clearance Investigations Unit (Attn: [redacted], Room 4252)

b6
b7C

EFW: (2)

1- ENCLOSURE

BE-44

N259-764-1

12 JUN 1988

[redacted]

SECURITY CLEARANCE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

FBI/DOJ

JUN 22 1988 GMB

Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted]

3/15/88

b6
b7C

Gary L. Stoops, Security Programs Manager (SPM)
Federal Bureau of Investigation (FBI)

BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

ACTION MEMORANDUM

Reference FBI memoranda to DOJ dated 11/9/84 and 12/14/84, and telephone conversation between [redacted] of your staff and [redacted], Freedom of Information and Privacy Act Section, Records Management Division (RMD), FBIHQ, 12/17/87.

b6
b7C

In accordance with Department Order 2620.6, entitled "Procedures for Requesting a Department of Justice Security Clearance for Non-Contractor Personnel Outside the Executive Branch" a "Top Secret" security clearance is being requested for the below listed individual:

BERNARD FENSTERWALD
DPOB: August 2, 1921
Nashville, Tennessee
SSAN: 414-22-1934
BUSINESS ADDRESS:
Fensterwald Associates
Arlington, Virginia

On May 16, 1985, BERNARD FENSTERWALD, JR., as an "historical researcher," made a specific request to the FBI to examine certain file(s) from the FBI's list of JFK assassination files, which involves National Security Information (NSI).

259-764 X1

259A - Bernard Fensterwald, Jr.

1 - Mr. Moschella
1 - [redacted]
1 - Mr. Stoops
1 - [redacted]
1 - (Attn: [redacted]

V-79

APR 2 1990

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 56685LD/dmj

b6
b7C

SEE NOTE PAGE 2

Exec AD Adm. 1 –
Exec AD Inv. 1 –
Exec AD LES 1 –
Asst. Dir.: 1 –
Adm. Servs. 1 –
Crim. Inv. 1 –
Ident. 1 –
Insp. 1 –
Intell. ____
Lab. ____
Legal Coun. ____
Off. Cong. & Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Telephone Rm. ____
Director's Sec'y ____
MAIL ROOM ☐

Work-up to pick up by 3-15-88 by [illegible]

Memorandum from Gary L. Stoops to Mr. D. Jerry Rubino
Re: Bernard Fensterwald, Jr.

BERNARD FENSTERWALD, JR. was the subject of a favorable applicant type background investigation by the FBI in 1984 entitled, "Request for Expedite Background Investigation Regarding Bernard Fensterwald, Jr."

Based on recent telephonic conversation with DOJ, D. Jerry Rubino Department Security Officer, requested that the FBI update FENSTERWALD's 1984 investigation by conducting a name and fingerprint check on him and submit the results and the request for a "Top Secret" security clearance to DOJ, Security Officer, in writing.

The central files of the FBI disclosed that besides FENSTERWALD's 1984 investigation, he was the subject of two other favorable applicant-type investigations by the FBI, one in 1949 entitled, "Bernard Fensterwald, Jr., Departmental Applicant-Anti-Trust Division," and one in 1959 entitled, "Bernard Fensterwald Jr., Special Inquiry - Senate Judiciary Committee."

No other pertinent information was contained in our files.

A review of records, Identification Division, FBI Headquarters was negative regarding BERNARD FENSTERWALD, JR.

DOJ Security Office is requested to furnish the appropriate Security Briefing Package to the SPM, FBI regarding BERNARD FENSTERWALD, JR.

NOTE: Letter to DOJ in response to E. P. Moschella memorandum to Mr. Stoops, dated 1/5/88, captioned "FOI Request of Bernard Fensterwald, Jr., for Historical Access" requesting the Operations Section, RMD to update FENSTERWALD's 1984 investigation and request the issuance of a "Top Secret" security clearance to FENSTERWALD by DOJ.

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date July 8, 1988

b6
b7C

From : Gary L. Stoops, Security Programs Manager
Federal Bureau of Investigation (FBI)

SLABS
SEC'D
SER
REC

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

INFORMATION MEMORANDUM

Reference DOJ memorandum, dated March 17, 1988, captioned "Request for a Top Secret Clearance."

Enclosed are the signed DOJ Acknowledgment form and National Security Information Briefing Acknowledgment form for Fensterwald.

This completes Bernard Fensterwald, Jr.'s, background investigation.

When Fensterwald no longer requires access to national security information, you will be advised.

Enclosures (2)

259-764

1 - [redacted]
(Attn: [redacted])

b6
b7C

RYT:bds (4)
Bds

V-79 259-764-2

APR 2 1990

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmy

Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
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Intell. ____
Lab. ____
Legal Coun. ____
Off. Cong. & Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Off. Liaison & Int. Affs. ____
Telephone Rm. ____
Director's Sec'y ____

MAIL ROOM ☐

pre Mail-mailed 7-8-88

Memorandum

Subject	Date
Request for a Top Secret Clearance	MAR 17 1988

To

Gary L. Stoops
Security Programs Manager
Federal Bureau of Investigation

From

D. Jerry Rubino
Department Security Officer

This responds to your memorandum dated March 15, 1988. A Top Secret security clearance is approved for Bernard Fensterwald, Jr.

This clearance and access approval is limited to that information necessary for the above-mentioned individual to perform the duties of a historical researcher.

This clearance is further conditioned upon this individual being briefed for access to National Security Information (NSI), and signing the Briefing Acknowledgment Form. In addition, this individual has signed the acknowledgment letter that he has read and is familiar with the regulation concerning classification, declassification, and safeguarding of NSI as described in 28 CFR Part 17. A copy of the Briefing Acknowledgment Form, the acknowledgment letter and the above-referenced regulation is attached. The original Briefing Acknowledgment Form, and acknowledgment letter should be signed and forwarded to this office.

If you have any questions on this matter, please have a member of your staff call [redacted] on [redacted]. b6 b7C

Attachments —

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 56068 SLD/dmj

4/4EC

U.S. Department of Justice

MAR 17 1988

Washington, D.C. 20530

Dear Bernard Fensterwald, Jr.:

Subject: Access to DOJ Classified National Security Information

In accordance with 28 CFR Part 17, this office has granted you a Top Secret clearance for access to classified National Security Information and material classified up to and including Top Secret by the Department of Justice (DOJ). This clearance is limited to those documents for which you have a need-to-know.

This clearance is limited to information or material classified by or in the custody of the DOJ and information or material related to the performance of your duties only and is contingent upon your becoming familiar with and your agreement to comply with and adhere to the provisions of the enclosed regulation, when handling classified information.

Accordingly, you are requested to review the enclosed regulation and to sign the certification as set forth below.

Sincerely,

D. Jerry Rubino
Department Security Officer

Enclosure

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

To: Department Security Officer
Room 6525, Main Justice Building

This is to certify that I will read and will become familiar with the subject regulation. I shall comply with the requirements thereof.

Name: B. Fensterwald Jr. Date: 6/15/88

Note:

Please return this original signed document in its entirety.

4/146C

U.S. Department of Justice

Washington, D.C. 20530

NATIONAL SECURITY INFORMATION (NSI) BRIEFING ACKNOWLEDGMENT

I, the undersigned, have received a briefing explaining my obligation to fully protect classified ~~SCI~~ NSI and sanctions that may result from unauthorized disclosures.

~~SCI~~ NSI ACCESS: Top Secret

DATE BRIEFED: 6/15/88

PRINTED NAME: Bernard Fensterwald, Jr.

SIGNATURE: B J Fensterwald Jr

SOCIAL SECURITY NO: 414-22-1934

ORGANIZATION: Assassination Archives & Research Center

WITNESS: [redacted] b6 b7C

ORGANIZATION: FBI

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

4/146

Memorandum

Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
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Off. Cong. &
Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Telephone Rm. ____
Director's Sec'y ____

To Allen H. McCreight

Date 8/31/88

From : G. L. Stoops

Subject : BERNARD FENSTERWALD, JR.
ASSASSINATION ARCHIVES AND RESEARCH CENTER (AARC)
SECURITY AWARENESS BRIEFING

PURPOSE: To advise you MR. BERNARD FENSTERWALD, JR., of the AARC was given a Security Awareness Briefing on 6/15/88 in Room 5641, Records Management Division (RMD), FBIHQ, by Supervisory Special Agent (SSA) [redacted] Security Officer, RMD. b6 b7C

RECOMMENDATIONS: 1. That MR. BERNARD FENSTERWALD, JR., of the AARC, be debriefed by the RMD Security Officer, when access to National Security Information (NSI) is no longer needed.

APPROVED:

Director	Adm. Servs.	Off. of Cong. & Public Affs.	
Exec. AD-Adm.	Crim. Inv.	Off. of Lia. & Intl. Affs.	
Exec. AD-Inv.	Ident.	Rec Mgmt.	
Exec. AD-LES	Inspection	Tech Servs.	
	Intell.	Training	
	Laboratory		
	Legal Coun.		

3 - ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

Enclosure (3)

1 - Mr. McCreight
1 - Mr. Moschella
1 - Mr. Stoops
1 - [redacted]
1 -
1 -
1 -
1 - 259-764

dm (10)

V-79

259-2643

OCT 24 1988

b6 b7C

(CONTINUED - OVER)

SECURITY CLASSIFICATION LIMIT

FBI/DOJ

Memorandum from G. L. Stoops to Mr. McCreight
Re: Bernard Fensterwald, Jr.
Assassination Archives and Research Center (AARC)
Security Awareness Briefing

2. When MR. FENSTERWALD's access is no longer needed, the Unit Chief, Disclosure Unit II, FOIPA Section, RMD, should immediately advise the Security Officer, RMD, to ensure he is debriefed.

APPROVED:

Director	Adm. Servs.	Off. of Cong. & Public Affs.	
Exec. AD-Adm.	Crim. Inv.	Off. of Lia. & Intl. Affs.	
Exec. AD-Inv.	Ident.	Rec. Mgmt.	
Exec. AD-LES	Inspection	Tech Servs.	
	Intell.	Training	
	Laboratory		
	Legal Coun.		

DETAILS: On 6/15/88, MR. BERNARD FENSTERWALD, JR., of the AARC, 918 F Street, Northwest, Washington, D. C. 20035, was given a Security Awareness Briefing by SSA [redacted] Security Officer, RMD. Also present at this briefing were SSA [redacted], Industrial Security and Clearance Investigations Unit, RMD, and [redacted] Miscellaneous Documents Examiner, Freedom of Information and Privacy Acts (FOIPA) Section, RMD. b6 b7C

MR. FENSTERWALD was advised of his obligation not to disclose NSI, to unauthorized individuals, i.e., family members, friends, working associates, and officials who do not have the appropriate clearance and a specific "need-to-know." He was advised any unauthorized disclosure could result in the loss of his clearance(s) and possible criminal sanctions taken against him. Also, MR. FENSTERWALD was advised not to disclose any sensitive or classified information after completion of his project.

SSA [redacted] advised MR. FENSTERWALD any publication which will involve or possibly contain sensitive or classified information must be submitted to the FBI for prepublication review. MR. FENSTERWALD was advised all documents and working papers are to be stored in a Class 5, General Services Administration-approved container at the end of each working day. He was instructed not to remove any notes or papers from the designated work space without prior review by the Document Classification Unit and Disclosure Unit II, RMD. b6 b7C

(CONTINUED - OVER)

Memorandum from G. L. Stoops to Mr. McCreight
Re: Bernard Fensterwald, Jr.
Assassination Archives and Research Center (AARC)
Security Awarerness Briefing

Proper handling of the SACS badge was discussed with MR. FENSTERWALD, as well as what procedures to follow should his SACS badge be misplaced, lost, or forgotten.

MR. FENSTERWALD was shown the Information Security Oversight Office video tape dealing with the safeguarding of NSI. He also signed an NSI briefing acknowledgement witnessed by SSA [redacted]. b6 b7C

Attached are Department of Justice communications requesting MR. FENSTERWALD be briefed in view of his access to NSI while performing duties of a historical reseacher.

It is recommended the Unit Chief, Disclosure Unit II, FOIPA Section, RMD, immediately advise the Security Officer, RMD, when MR. FENSTERWALD's access to NSI is no longer needed to ensure he is debriefed.

Memorandum

To : [redacted]

Date 4/4/91

From : [redacted]

b6
b7C

Subject: BERNARD FENSTERWALD, JR.
ASSASSINATION ARCHIVES AND RESEARCH CENTER (AARC)
SECURITY CLEARANCE

PURPOSE: To advise the Security Programs Unit of the death of Mr. Fensterwald on April 2, 1991.

RECOMMENDATIONS: None. For information only.

DETAILS: In 1988, Mr. Fensterwald was provided a clearance as a historical researcher and was provided a Security Awareness Briefing on 6/15/88.

On 4/3/91, an obituary was contained in the Washington Post advising of the death of Mr. Fensterwald.

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 56068 SLD/dmj

OBITUARIES

Bernard Fensterwald, Lawyer For Watergate Burglar, Dies

By J.Y. Smith
Washington Post Staff Writer

Bernard Fensterwald, 69, a lawyer who directed some highly publicized Senate investigations and later represented James McCord, the Watergate burglar who told a federal judge about the Nixon White House ties to the break-in and wiretapping, died of a heart attack April 2 at Alexandria Hospital.

Mr. Fensterwald, who was stricken at his home in Alexandria, had been in the private practice of law since 1969. He was a senior partner in the firm of Fensterwald & Alcorn, which has offices in Vienna and Arlington.

The son of a prominent family in Nashville, Mr. Fensterwald often attracted controversy. It was suggested from time to time that he had worked for the CIA, and he seemed to relish the air of mystery that this created. He would answer queries about it with vague statements to the effect that there was "no evidence" that he was connected to the agency.

In 1970, he took over the defense of James Earl Ray, the convicted assassin of the Rev. Martin Luther King Jr., and handled his appeals.

A close student of the assassinations of President John F. Kennedy and Robert F. Kennedy, he was an outspoken critic of the Warren Commission's conclusion that there had been no conspiracy in President Kennedy's death. He formed a private Committee to Investigate Assassinations, and at his death he was president of the Assassination Archives and Research Center. The center is a privately funded nonprofit organization in Washington that collects material on the King and Kennedy assassinations.

From 1959 to 1968, Mr. Fensterwald held high staff posts on Senate subcommittees on constitutional amendments, antitrust and monopoly and administrative practice and procedure. He directed investigations of price-fixing, the drug industry and finally of allegedly illegal wiretapping of James R. Hoffa, the president of the Teamsters union.

Despite aggressive examination by Mr. Fensterwald, the Hoffa probe failed to prove wiretapping had been used illegally. But it led to new laws restricting electronic surveillance.

It also helped end the political career of Sen. Edward V. Long (D-Mo.), who chaired the committee for which Mr. Fensterwald worked. It was revealed that the senator had split legal fees with one of Hoffa's lawyers, and he failed in his bid for reelection in 1968.

In 1973, Mr. Fensterwald took on the defense of James McCord, the former security chief of President Nixon's 1972 reelection campaign and one of the five persons arrested in the burglary at the Watergate office building in June of that year.

Having been convicted of the break-in, McCord wrote a famous letter to U.S. District Judge John J. Sirica in which he told how White House and campaign officials had advance notice of the burglary and then sought to cover up their roles in it. The letter gave new impetus to efforts to find high-level officials responsible for it and eventually led to Nixon's resignation.

Mr. Fensterwald was a graduate of Harvard University and its law school and received a master's degree in international law from the School for Advanced International Studies of Johns Hopkins University. He served in the Navy in the South Pacific in World War II.

He was in Washington briefly after the war and moved here permanently in 1950, when he was named assistant to the legal adviser at the State Department. In 1956, he resigned to work for Sen. Estes Kefauver (D-Tenn.) in his campaign as the Democratic nominee for vice president.

In addition to his law practice, Mr. Fensterwald was the founder and president of U-Store Inc. and Records Management Inc., which are private warehouse and record storage companies in the Washington area.

He was a member of the Alexandria Y and helped found its Y's Men. He also was a member of the Historic Alexandria Resource Commission and the Army Navy Country Club.

His marriage to Elizabeth Fensterwald ended in divorce.

Survivors include his wife, Patricia Fensterwald of Alexandria; a son by his first marriage, Bernard Fensterwald III of Reston; three stepchildren, Patrick Marlette of Sacramento, Calif., David Marlette of Falls Church and Margaret Alice Cox of Taipei, Taiwan; a sister, Ann Eisenstein of Nashville; and six grandchildren.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

SEE REVERSE SIDE FOR
ADD. DISSEMINATION

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date 6-5-91

b6
b7C

From : Gary L. Stoops
Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject :

BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

ACTION MEMORANDUM

Reference is made to DOJ memorandum dated 3-17-88, captioned "Request for a Top Secret Clearance" and FBI memorandum dated 7-8-88, captioned as above.

Referenced DOJ memorandum authorized a "Top Secret" security clearance for FENSTERWALD.

For the information of DOJ, on 4-3-91 an obituary was contained in the Washington Post advising of the death of Mr. FENSTERWALD.

The Department Security Officer is requested to delete FENSTERWALD from the FBI access list of those individuals requiring a security clearance.

259-764
RYT:ryt (3)

Dep. Dir.
ADD Adm.
ADD Inv.
Asst. Dir.:
Adm. Servs.
Crim. Inv.
Ident.
Info. Mgt.
Insp.
Intell.
Lab.
Legal
Tech.
Train.
Cong. & Off.
Off. of EEO
Off. Liaison & Int. Affs.
Off. of Public Affs.
Telephone Rm.
Director's Office

ALL INFORMATION CONTAINED
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DATE 8/8/94 BY 5668 SLD/dmj

ORIGINAL HAND
CARRIED TO D. O. J. BY Courier
6/5/91 4:47

EX-112

2/9/72

Airtel

1 - Mr. Huppert

REC-55 47- 55254 - 1

TO: SAC, Albuquerque

FROM: Director, FBI

BERNARD FENSTERWALD, JR., aka
BUD
IMPERSONATION
OO: LA

ReAQairtel in captioned matter dated 2/2/72, and Butelcals to WFO and LA dated 2/8/72.

For the information of Albuquerque and Dallas, the Bureau, in referenced telephone calls, instructed Washington Field and Los Angeles to disregard leads set forth for those offices by Albuquerque.

A review of Bureau files disclosed that captioned individual was formerly Chief Counsel of the U. S. Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure. During the four years he held this position, Fensterwald frequently contacted the Bureau. During his contacts he exhibited himself as unscrupulous, untrustworthy and anti-FBI. In January, 1969, it was publicly announced that a group of individuals were forming the "National Committee to Investigate Assassinations." Fensterwald was to be Executive Director of this committee, whose board members included Jim Garrison, District Attorney, New Orleans; [redacted]; Fred J. Cook, Author; and others.

MAILED 25 FEB - 9 1972 FBI

b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-4-96 BY SP4-BJA-ALB

2 - Washington Field
2 - Los Angeles
1 - Dallas (For information) #35192
1 - Bufile (62-112697) (Enclosure)

JDH:fir
(10)

SEE NOTE PAGE TWO. . .

XEROX

FEB 14 1972

55 FEB 18 1972

MAIL ROOM TELETYPE UNIT

Mr. Tolson
Mr. Felt
Mr. Rosen
Mr. Mohr
Mr. Bishop
Mr. Miller, E.S.
Mr. Callahan
Mr. Casper
Mr. Conrad
Mr. Dalbey
Mr. Cleveland
Mr. Ponder
Mr. Bates
Mr. Waikart
Mr. Walters
Mr. Soyars
Tele. Room
Miss Holm
Miss Gand

62-109060-1
62-112697-1

UNRECORDED COPY FILED IN

In view of the above, and, in view of the apparent mental state of [redacted], the source of information in referenced airtel, it is not felt that this matter should be pursued. b6 b7C

NOTE: By airtel dated 1/27/72, entitled "Assassination of President John Fitzgerald Kennedy, 11/22/63, Dallas, Texas, Miscellaneous - Information Concerning," Albuquerque was instructed to interview [redacted] for information allegedly in his possession concerning the assassination of President Kennedy. This information was furnished to the Bureau by Albuquerque airtel under the Kennedy caption dated 2/2/72. b6 b7C

[redacted] was interviewed on 2/1/72, concerning the assassination of President Kennedy, at which time he furnished details of his own background. He said he is now a paraplegic, following a serious operation in July, 1971. At the time of interview, [redacted] desired to furnish details of his harassment by the "Federal Government" which lasted from 1967 to 1971. [redacted] furnished rambling allegations concerning his having been under surveillance; regarding his telephone being monitored; and reports that "the FBI was opening his mail.", etc. Included in his rambling, were references to Bernard Fensterwald, Jr., Arlington, Virginia, whom [redacted] claimed displayed FBI credentials to [redacted] further alleged that Fensterwald gave [redacted] wife a Washington FBI telephone number where Fensterwald could be reached. Washington Field was requested to interview Fensterwald and Los Angeles was requested to conduct investigation at Upland, California, regarding allegation that an assistant Postmaster told [redacted] that the FBI was checking and/or confiscating his mail. b6 b7C

In view of the nature of statements made by [redacted] and the unsavory reputation of Fensterwald, it is not felt this matter warrants investigation as an Impersonation case. b6 b7C

FD-36 (Rev. 5-22-64)

FBI

Date: 2/2/72

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12-4-96 BY SP4-BTA-MLD #351592

TO: DIRECTOR, FBI

FROM: SAC, ALBUQUERQUE (47-New) P

SUBJECT: BERNARD FENSTERWALD, JR., aka Bud
IMPERSONATION
OO: Los Angeles

MCT-27 REC-55

Re Bureau airtel, 1/27/72, captioned "ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, 11/22/63, DALLAS, TEXAS, MISCELLANEOUS - INFORMATION CONCERNING," which instructed Albuquerque to interview [redacted] for full details concerning his willingness to make available information concerning the assassination of President KENNEDY. b6 b7C

By separate communication, the Albuquerque Office will furnish the Bureau the information [redacted] made available concerning the alleged plot involving LEE HARVEY OSWALD and others in the KENNEDY assassination. b6 b7C

On 2/1/72, [redacted], also known as [redacted] was interviewed at his residence in the presence of his wife [redacted]. [redacted] stated he is a paraplegic and has now retired following a serious operation in July, 1971. He said at one time he [redacted] He stated he moved from Virginia to Hollywood, California, in 1951 and seven years later moved to Upland, California, where he remained 13 years doing free lance writing. b6 b7C

REC-55 EX-112

MCT-27

55254 -

22 FEB 7 1972

(3) - Bureau (RAM)
(1 - 62-109060)
2 - WFO (RAM)
1 - Dallas (Info) (RAM)
2 - Los Angeles (RAM)
3 - Albuquerque
(1 - 89-27)

Rec'd in Sacramento 2/9/72 9:00 AM

GKM:mcc
(11)

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

FEB 14 1972

U. S. GOVERNMENT PRINTING OFFICE: 1971—413—135

UNRECORDED COPY FILED IN 62-109060-

62-112597-

In 1967, he became acquainted with [redacted] in Cucamonga, California. [redacted] described [redacted] as a former Union Steward at the Kaiser Steel Company, who now works as an auditor for a building materials company. [redacted] recently moved to Ontario, California; however, at the time, [redacted] became acquainted with him, he was a part-time bartender. While dining with his wife one night in a place where [redacted] was tending bar, [redacted] suggested he write a story on a friend of his, [redacted], [redacted] thought [redacted] could sell this story to one of the adventure story magazines since [redacted] was an [redacted] b6 b7C

Subsequently, [redacted] contacted [redacted] and began preparing an article for "True" magazine. [redacted] not only informed [redacted] about his life story but also hinted he had information concerning LEE HARVEY OSWALD being part of a conspiracy to kill President KENNEDY. This, of course, intrigued [redacted] who thought he could write another story and have it published along these lines. b6 b7C

About this time, according to [redacted], he began to receive harassment from the "Federal Government," which lasted until 1971. According to [redacted], this harassment consisted of having his mail opened and/or delayed. In this regard, he said he contacted the Assistant Postmaster at Upland, CAlifornia, who at first denied there was any problem but who subsequently told him the FBI was opening his mail. [redacted] had Post Office Box [redacted] at Upland, California. Further, he felt certain his telephone was being monitored because whenever someone tried to make an outgoing call there were always voices in the background and the sound of some machinery, such as a typewriter. Furthermore, while holding telephone conversations, the operator interrupted on several occasions and indicated either he or a member of his family would have to get off the line because of an emergency. At one time the operator indicated there was an emergency involving a member of his family and he should hang up so that the authorities could contact him. He did so immediately but no call came in. When he tried to check this out, the telephone company and local authorities denied any knowledge of the affair. Also, according to [redacted] he and members of his family were under surveillance by "always two men in dark business suits"during this period of time." b6 b7C

AQ 47-New

In July, 1971, while he was in the hospital having an operation, two men came to his residence in Upland, California, and displayed what [redacted] believed were FBI credentials. They then entered the residence and proceeded to the bedroom where they forced open a desk by breaking the lock. They said they were looking for "the manuscript," but did not take anything. b6 b7C

[redacted] stated he received a letter dated 10/7/68 from BERNARD FENSTERWALD, JR., 4036 North 27th Street, Arlington, Virginia, which stated FENSTERWALD was doing research with respect to the KENNEDY and KING assassinations. FENSTERWALD said it had come to his attention that [redacted] and/or [redacted] may have some very valuable information and it would be appreciated if they could make this available. He entered into correspondence with FENSTERWALD and determined he was a member of a law firm (FENSTERWALD and OHLHAUSEN, 927 15th Street, NW, Washington, D. C., 20005). He also received correspondence on letterhead paper of "COMMITTEE TO INVESTIGATE ASSASSINATIONS," which also had the address of 927 15th Street, Washington, D. C. Subsequently, he met FENSTERWALD and according to [redacted], FENSTERWALD displayed to him FBI credentials. Also during the time he was in the hospital, FENSTERWALD contacted his residence and gave his wife a telephone number where he could be reached in Washington, D. C., which he said was the FBI telephone number. [redacted] claims she verified this was FBI Headquarters in Washington by checking with the telephone company. b6 b7C

LAWYER D.C.

In July, 1971, following his release from the hospital, [redacted] was determined to put an end to the harassment and discussed it with FENSTERWALD. FENSTERWALD told him that the harassment would stop if [redacted] would write him a letter in care of the FBI in Washington, D. C., and state in his letter that he was going to stop investigating the assassination. He was to send a copy of this letter to the Central Intelligence Agency in McLean, Virginia. [redacted] said he did not write this letter but did cease his efforts to prepare a story for publication. b6 b7C

About three months ago, [redacted] moved to Albuquerque. He said he has not suffered any harassment since his move, but his married daughter, [redacted] who remained in Upland, California, with her husband, called him about a week ago and advised she was still being followed. She further stated, according to [redacted], that a friend of hers whose mother works in the Post Office, asked her what sort of scandal her b6 b7C

parents were involved in since the mother had said the FBI had confiscated all of their mail at the Upland Post Office and thus prevented it from being forwarded to [redacted] in Albuquerque. b6 b7C

[redacted] also has been in contact with JAMES GARRISON concerning the alleged KENNEDY assassination plot and advised he learned from GARRISON that FENSTERWALD has held the following positions: b6 b7C

Lieutenant in U. S. Navy;
Chief Legal Advisor to Senator EDWARD LONG of Missouri;
Chief Counsel for the Senate Sub-Committee on Administrative Practices;
Department of State Official in the Foreign Policy Division;
Graduate of Harvard Law School

Albuquerque files contain no information concerning [redacted] or his wife, or BERNARD FENSTERWALD, JR. The files do indicate [redacted] He said he does not know the current whereabouts of [redacted] but felt the San Bernardino Resident Agency would have this information. In this connection, [redacted] stated he would appreciate it if the FBI would not advise either [redacted] or [redacted] that he was furnishing information concerning them to the FBI because he feared they would attempt retaliation against him or members of his family. He also requested no contact be made with his daughter, [redacted], since he felt this would upset her further and could possibly jeopardize her employment. He did not state why he felt this would occur. b6 b7C

[redacted] stated he had abandoned all plans for publication of any material he has received from [redacted] and that, in fact, he would have to forfeit his Government pension should he receive outside income. He said his purpose in contacting the FBI at this time was to cause an end to the harassment of him and his family, which they have suffered for over four years. b6 b7C

AQ 47-New

Albuquerque believes that [redacted] is sincere but definitely confused and that appropriate investigation should be conducted to determine if, in fact, FENSTERWALD and/or others are identifying themselves as FBI personnel. In this regard, the following leads are set forth: b6 b7C

WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Interview BERNARD FENSTERWALD, JR., to determine the nature of his association with [redacted] and ascertain whether he ever displayed FBI credentials or furnished the FBI Headquarters telephone number as being his. Also determine whether he ever advised [redacted] that harassment would stop if [redacted] would write him a letter in care of the FBI in Washington, D. C. b6 b7C

LOS ANGELES DIVISION

AT UPLAND, CALIFORNIA

Contact Postal authorities to determine whether any checks on the [redacted] mail have been made and whether an Assistant Postmaster or other employee told [redacted] that the FBI was checking his mail or confiscating his mail. b6 b7C

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1319244-0

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Page 84 ~ Duplicate;
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Page 138 ~ Referral/Consult;
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Page 155 ~ Referral/Consult;
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Page 158 ~ Referral/Consult;
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Page 215 ~ Referral/Consult;
Page 216 ~ Referral/Consult;
Page 253 ~ b6; b7C; b7E;
Page 293 ~ Referral/Consult;
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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

CC-150

To: COMMUNICATIONS SECTION. AUGUST 18, 1949 URGENT

Transmit the following message to: SAC, MEMPHIS
BOSTON

RECORDED 77-44206-1

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS: CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE: AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION: DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTED TO TENNESSEE BAR. REFERENCE: ABE D. WALDAUER, ATTY., COMMERCE TITLE BLDG., MEMPHIS, TENNESSEE.

BOSTON

HARVARD COLLEGE (GOVT.) CAMBRIDGE, MASSACHUSETTS, FORTY TWO, B.S. MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL.B., FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE: LOUIS SOHN, LECTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX. REFERENCE: MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT AVENUE, N.W., WASHINGTON, D. C.

CHECK CSC, ONI AND HCUA FILES.

INCLUDE IN YOUR REPORT A STATEMENT THAT THE BUREAU ADVISED YOU THAT A SEARCH OF THE CENTRAL FILES OF THE FBI HAS BEEN MADE AND NO INFORMATION OF A DEROGATORY NATURE CONCERNING LOYALTY, WHICH COULD BE IDENTIFIED WITH APPLICANT WAS FOUND.

ALL OFFICES

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLP/dmj

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 18 1949

CC: WASHINGTON FIELD (BY SPECIAL MESSENGER)

77-44206

JAL/cmn

SENT VIA TELETYPE 4:40 P M Per cw

AUG 18 1 27 PM '49
RECEIVED
FBI
U.S. DEPT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG

TELETYPE

BOSTON FROM WASH 2 18 240 PM

SAC, U R G E N T

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS-- CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE-- AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION-- DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTED TO TENNESSEE BAR. REFERENCE-- ABE D. WALDAUER, ATTY., COMMERCE TITLE BLDG., MEMPHIS TENNESSEE.

BOSTON.....

HARVARD COLLEGE /GOVT./ CAMBRIDGE, MASSACHUSETTS, FORTY TWO, B. S. MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL.B., FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE-- LOUIS SOHN, LCTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD.....

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX. REFERENCE-- MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT

END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

AVENUE, N.W., WASHINGTON, D. C.

MAKE AGENCY CHECKS.

ALL OFFICES.....

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

HOOVER

ME AND WFO ADVISED

ACK AND HOLD PLS

6WA R 2 BS

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FBI WASHINGTON DC 8-18-49 2-13 PM FEJ

SAC, MEMPHIS URGENT

COVES, BERNARD FENSTERWALD, JR., ANTITRUST DIVISION. ADDRESS-- CLARENDON AVE., NASHVILLE, TENNESSEE. BIRTH DATE-- AUGUST TWO, TWENTY ONE, AT NASHVILLE, TENNESSEE, VERIFY. EDUCATION-- DUNCAN PREPARATORY SCHOOL, NASHVILLE, TENNESSEE. ASCERTAIN IF ADMITTEED TO TENNESSEE BAR. REFERENCE-- ABE D. WALDAUER, ATTY., COMMEC XXX COMMERCE TITLE BLDG., MEMPHIS, TENNESSEE.

BOSTON.....

HARVARD COLLEGE /GOVT./ CAMBRIDGE, MASSACHUSETTS# FORTY TWO, B. S. MAGNA CUM LAUDE. HARVARD LAW SCHOOL, LL. B. , FORTY SIX TO FORTY NINE, VERIFY. SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, STUDENT AT PRESENT. REFERENCE-- LOUIS SOHN, LECTURER AT LAW SCHOOL, HARVARD LAW SCHOOL, CAMBRIDGE, MASSACHUSETTS.

WASHINGTON FIELD.....

STATES LIEUTENANT U. S. NAVY RESERVE CORPS, MAY FORTY TWO TO MAY FORTY SIX.

REFERENCE-- MILTON STARR, ONE NAUGHT TWO NAUGHT CONNECTICUT AVENUE, N. W. WASHINGTON, D. C.

MAKE AGENCY CHECKS.

DECLASSIFICATION AUTHORITY DERIVED FROM: FBI AUTOMATIC DECLASSIFICATION GUIDE
DECLASSIFY ON: 25X
8/5/94 5668 SLD/dmg
CA#94-0055 HHG

END PAGE ONE

PAGE TWO

ALL OFFICES.....

SEE SECTION SIX B, MANUAL OF INSTRUCTIONS. SUTEL BY AUGUST TWENTY FIVE. SUREP AUGUST TWENTY NINE.

HOOVER

CORR LINE FOUR LAST WORD SHUD BE "ADMITTED"

LINE 8 FIFTH WORD SHUD BE "MASSACHUSETTS,"

BS AND WFO ADVISED

END

ACK PLS

OK FBI ME AG

F-19

Subj: Bernard Fensterwald, Jr.

Address: Mass

Birthdate: 8-2-31-Bos SUPV: May

Misc:

R# 4643 Date 8/16 Searcher Initial

FILE NUMBER	SERIALS

Peyton Ford
The Assistant to the Attorney General

Department of Justice
Washington

MEMORANDUM FOR MR. HOOVER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Please obtain a report relative to the character, reputation and qualifications of the individual named below who is under consideration for appointment to the position indicated below with the Department of Justice:

NAME IN FULL FENSTERWALD, BERNARD Jr., Clarendon Ave., Nashville, Tennessee
(Female Applicants - Maiden Name)

POSITION UNDER CONSIDERATION Legal position -- Antitrust Division

LEGAL RESIDENCE Tennessee

DATE OF BIRTH Aug. 2, 1921 Verify PLACE OF BIRTH Nashville, Tennessee

If not born in the United States and not naturalized, date and port of entry of applicant into the United States

If naturalized, date and place of naturalization

MARITAL STATUS

EDUCATION: a. High School or equivalent Duncan Preparatory School, Nashville, Tennessee

Harvard College (Govt.) Cambridge, Mass. 1942; B.S.Magna cum laude

b. College or Technical (1938-1942)
Harvard Law School Verify " 1949;LL.B.;1946-1949.

c. Miscellaneous

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj
CA#94-0655 HHG

Names of clubs, societies and similar organizations of which applicant is a member Association of Advocates of the Texas Bar

Date of admission to the Bar Name of State in which admitted:

BUSINESS EXPERIENCE:

Name and Address of Employer	Position	Period of Employment
School of Advanced International Studies, Peterboro, New Hampshire	Student	at present.
Lieutenant United States Navy Reserve Corps		5-1942--5-1946
1 year with Naval Communications, Washington, D. C.		
2 years in S.W. Pacific as Asst. Comm. Officer and Division Officer aboard the APA 15 (Engaged in amphibious warfare)		
½ year in Washington, Bureau of Naval Personnel (Serial No. 142274)	Administrative duties	
Course in rudiments of Naval Law, Boston, Mass.		Jan. 1948

Arrests or law suits in which applicant has been involved
The applicant states none.

77-44206-1
RECORDED
50 AUG 16 1949

List names of any relatives in the Government service with degree of relationship and where employed
The applicant states none.

REFERENCES: (Preferably five)

Name	Residence Address	Business Address
Abe D. Waldauer, Atty.		Commerce Title Bldg.,Memphis, Tenn.
Milton Starr, Businessman		1020 Conn. Ave.,N.W., Washington, D.C.
Louis Sohn, Lecturer at Law School		Harvard Law School, Cambridge, Mass.

QUICK TELETYPE XX

REGULAR REPORT

Peyton Ford
The Assistant to the Attorney General

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

FILE NO. 77-3951 MEM

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
BOSTON, MASS.	8/26/49	8/23,24/49	EARL L. FAUVER

TITLE	CHARACTER OF CASE
BERNARD FENSTERWALD, JR.	DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Applicant attended Harvard College, Cambridge, Mass., 1938-1942, receiving B.S. degree in Government; Harvard Law School, October, 1946 to May, 1949, receiving LL.B. degree. Better-than-average student; no disciplinary action against him. References ABE D. WALDAUER and MILTON J. STARR recommend applicant as loyal American of excellent reputation and character. Reference LOUIS SOHN had no derogatory information concerning applicant and no reason to question his loyalty. Neighborhood, Cambridge, Mass., favorable. Credit and criminal negative.

AGENCY phata - OSD
REQ. REC'D 8-22-57
REP'T FORW. 8-26-57
BY Inca - Ju -

- R U C -

REFERENCE: Memphis teletype dated 8/19/49 to Director, Washington Field and Boston.

DETAILS:

Education

The records of the Registrar's Office, Harvard College, Cambridge, Mass., reflected that the applicant attended Harvard College from 1938 to 1942, and received a B.S. degree in Government in 1942. Applicant's birth date was verified as August 2, 1921, at Nashville, Tennessee. The records indicated that applicant was a better-than-average student and that no disciplinary action was taken against him while he attended the college.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668SD/br

cc C IC
Rec 3/31/50
MJL

Mrs. G. M. LADD, Registrar's Office, Harvard Law School, Cambridge, Mass., furnished records which indicated that applicant attended law school from October, 1946, to May, 1949, receiving an LL.B. degree. Applicant in his first

APPROVED AND FORWARDED: Ed Fauver SPECIAL AGENT IN CHARGE

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77-44206 - 2

RECORDED - 93

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year at the law school ranked 67 in a class of 365; in his second year, he was 68 in a class of 372; and in his last year was 69 in a class of 395. On May 25, 1949, he received the Addison-Brown Award, a scholastic honor.

Professor TOEPFER, Assistant Dean of the Faculty, Harvard Law School, stated he remembers applicant as a student and considered him to be a very nice boy, but he advised that he knew nothing concerning applicant's loyalty. Professor TOEPFER advised he knew applicant only from the few times applicant was in and out of his office but he could see no reason why applicant should not be recommended for a position with the Government. Professor TOEPFER advised that applicant was a member of the King's Bench, a social club and a member of the Brocker Law Club.

References

Professor LOUIS SOHN, lecturer at Harvard Law School, Harvard University, Cambridge, Mass., advised that he has known applicant since January of this year and that applicant was in one of his classes which contained only about twenty students. As a result of this, he came to know applicant fairly well. Professor SOHN advised that applicant was a very good student and a pleasant individual who appeared to be well liked by his fellow students. Professor SOHN stated that he had never heard any derogatory statements concerning the applicant and he had no reason to question the applicant's loyalty to this country. Professor SOHN stated that he knew very little concerning applicant's outside activities.

ABE D. WALDAUER, attorney and United States Collector of Customs, Memphis, Tennessee, advised that he has known applicant and his family since 1924 in a social way. He said that applicant had a brilliant war record and was of unquestioned loyalty. Applicant has recently graduated from Harvard Law School and passed the Massachusetts Bar Examination, and WALDAUER said that he assisted him in his preparation for that examination and found him to be a brilliant law student. According to WALDAUER, applicant is of excellent reputation and character and he was glad to recommend him for instant position. Mr. WALDAUER was interviewed at West Yarmouth, Mass.

MILTON J. STARR, formerly associated with the Office of War Information and the War Assets Administration, and now an owner of a chain of moving picture houses in Washington, D. C., was interviewed at West Yarmouth, Mass., and advised that he has known applicant since applicant was a "little boy." He said that applicant always had a desire to do foreign

service work and was advised that it would be well for him to take a course in law and pass the Bar for a foundation for any diplomatic service or any other good Government position; therefore, he decided to complete his law course at Harvard University.

STARR added that applicant has a splendid reputation, is unusually intelligent and very ambitious. He feels that applicant "will really go places in Government Service." He felt that there was no question as to applicant's loyalty and pointed out his brilliant war record and his willingness to make Government Service his life's work.

Neighborhood

Miss GOLDIE CRAWFORD, landlady, 7 Irving Terrace, Cambridge, Mass., where applicant is presently residing, advised that she has known applicant and his wife for about a year. Miss CRAWFORD recommended applicant in every way. She considered him to be one hundred per centloyal to this country and stated there was not enough she could say in his favor. Miss CRAWFORD advised that applicant and his wife are the finest tenants she had ever had in her home and that she could recommend him highly for any position of trust.

Credit and Criminal

Miss MILDRED KING of the Credit Bureau of Greater Boston, Inc., 52 Chauncy Street, Boston, Mass., advised that a search of her records revealed no credit record for the applicant.

Miss CATHERINE CAROLAN of the Massachusetts Board of Probation, Boston, Mass., a central repository for all criminal arrest records in the state of Massachusetts, advised that a review of her files revealed no criminal record for applicant.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

ADMINISTRATIVE DETAILS

Investigation at West Yarmouth, Massachusetts, was conducted by Special Agent WILLIAN H. CARPENTER.

Credit and criminal checks at Boston were made by Special Employee LUTHER MUNSON.

On 8/23/49, a teletype was sent to the Washington Field Office, advising that all records of the School of International STudies, Peterboro, New Hampshire, had been forwarded to the school's main office on Florida Ave., N.W., Washington, D. C.

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

FILE NO. 77-29779

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
WASHINGTON, D. C.	8/31/49	8/24,25/49	WILLIAM P. KOSTERMAN WPK:RML

TITLE	CHARACTER OF CASE
BERNARD C FENSTERWALD, JR.	DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Applicant appointed Ensign, United States Naval Reserve, April 3, 1942; reported for active duty, September 18, 1942; detached from duty, March 1, 1946; released from active duty, May 1, 1946. Received ten-day suspension from active duty when group of officers and men under his charge violated orders concerning their conduct while sight-seeing in Philippine Islands. Applicant attended School for Advanced International Studies, Washington, D. C., January 1946 - June 1946; Peterboro, New Hampshire, summer sessions of 1947 and 1949. Completed curriculum for Master of Arts Degree in International Affairs. Former landlord deceased. Former acquaintance at 1365 Geranium Street Northwest, recalls applicant favorably. Office of Naval Intelligence, House Committee on Un-American Activities, Civil Service Commission, criminal, credit, Federal Bureau of Investigation central files regarding loyalty, negative concerning applicant.

- RUC -

AGENCY Phila. - OSD
REQ. REC'D 8-22-54
REP'T FORW. 8-26-57
BY Mca - Jr -

REFERENCES: Bureau File 77-44206.
Bureau Teletype dated August 18, 1949.
Boston Teletype dated August 23, 1949.

cc CDE
Jne 3/31/50
mick

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SDL dmj

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
		77-44206-3

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U. S. GOVERNMENT PRINTING OFFICE 7—2034

259

WFO - 77-29779

DETAILS: AT WASHINGTON, D. C.

NAVY RECORD

The applicant's Naval Officer Record reflected that BERNARD FENSTERWALD, JR., born August 2, 1921, at Nashville, Tennessee, had been appointed an Ensign, United States Naval Reserve, on April 3, 1942, with Serial Number 142274; he reported for active duty on September 18, 1942; he was detached from duty on March 1, 1946, at Washington, D. C., and ordered home; on May 1, 1946, he was released from active duty as a Lieutenant, United States Naval Reserve. The record reflected efficiency ratings for the applicant ranging from "average" through "excellent".

This file contained a letter from the applicant's commanding officer directed to the applicant dated April 6, 1945, which stated in part:

"You were appointed officer in charge of six groups of officers and men to embark on the USS Cleveland for a sight-seeing trip to Manila, Philippine Islands. One of these groups was under your direct supervision. In addition, detailed instructions concerning the conduct of the personnel in the groups were furnished you prior to departure from this ship, and supplementary instructions were given you on the USS Cleveland. Notwithstanding the information you received, certain members of the sight-seeing party flagrantly violated the orders governing their conduct to the extent that it was necessary for the commanding officer, USS Cleveland, to inform me officially of the incidents which do not reflect creditably on this ship. To aggravate the situation, all of the offenders were from the group of which you were in charge. I consider your inattention and failure to set an example of seamanlike performance of duty, inexcusable. Because of the above, you are hereby suspended from duty for a period of ten days. During this period of suspension, you will confine yourself to the limits of this ship, exclusive of the quarter-deck and bridges."

The applicant's file contained no further derogatory information.

EDUCATION

Miss ROSEMARY WOODS, Clerk, School of Advanced International Studies, 1906 Florida Avenue, Northwest, advised by reference to the files of that institution, that BERNARD FENSTERWALD, JR. attended the spring session of that school at Washington, D. C., from January to June of 1946, and that he subsequently attended the summer sessions of 1947 and 1949 at Peterboro, New Hampshire. She stated that the applicant had completed the curriculum and had passed the final examination on August 18, 1949, and that he will receive a Master of Arts Degree in International Affairs at the next graduation ceremony of the school in June of 1950. She stated that all of the applicant's former teachers are now on vacation and will not be available for interview until October 1, 1949. Miss WOODS further advised that the record reflected the applicant's address as 1365 Geranium Street Northwest.

1365 GERANIUM STREET NORTHWEST

Mrs. CHARLES BURNHAM, 1365 Geranium Street Northwest, advised that her husband, who is now deceased, formerly had rented the house at that address to a group of four or five young men in 1946. She stated that the applicant's name was not familiar to her, but that her husband had probably known him. She said that the only young man of this group with whom she was acquainted was JOSEPH F. HUBER, JR., whom she said is presently living in Maryland. Mrs. BURNHAM added that this group of young men had always proven to be good tenants, and that her husband had never received any complaints concerning the conduct of any of these boys who had formerly rented the house.

Mr. JOSEPH F. HUBER, JR., Hillmeade Road, Bradley Hills, Maryland, advised that he had formerly been one of a group of young men to rent the house at 1365 Geranium Street Northwest, and he recalled the applicant as having resided there, approximately from January to June 1946. He added that he had only resided there for about two months while the applicant had been there, and that he recalled Mr. FENSTERWALD as a young man of excellent character and reputation. He said that during his limited contact with the applicant, he had never had reason to doubt Mr. FENSTERWALD's loyalty to the government in any way. Mr. HUBER recommended the applicant for responsible employment with the government. Mr. HUBER added that he did not know the present location of the other young men who formerly resided at 1365 Geranium Street Northwest.

MISCELLANEOUS

The files of the following agencies were searched regarding the applicant with negative results: Office of Naval Intelligence, House Committee on Un-American Activities, ~~confidential~~ investigative files of the Civil Service Commission, criminal records of the Metropolitan Police Department, credit records of the Credit Bureau and Stone's Mercantile Agency.

The Bureau advised that a search of the central files of the Federal Bureau of Investigation has been made and no information of a derogatory nature concerning loyalty, which could be identified with the applicant, was found.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

CC-150

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

SEPTEMBER 7, 1949 URGENT

To: COMMUNICATIONS SECTION.

SAC BOSTON

Transmit the following message to:

BERNARD FENSTERWALD, JR., DAPLI. URFILE SEVENTY-SEVEN DASH THREE NINE FIVE ONE. INFO FURNISHED BY REFERENCE WALDAUER INDICATES ADMITTED MASS. BAR. VERIFY AND SURSP IMMEDIATELY.

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ALL INFORMATION CONTAINED
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DATE 8/5/94 BY 5668 SLD/dmj

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FBI

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77-44206-4

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Hendon
Mr. Pennington
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

SEP 7 1949

P 271949

TELETYPE

SENT VIA 4:22 P M Per

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

SEP 7 1949

TELETYPE

BOSTON 2 FROM WASH DC 7 402PM

SAC U R G E N T

BERNARD FENSTERWALD, JR., DAPLI. URFILE SEVENTY-SEVN DASH THREE NINE FIVE ONE. INFO FURNISHED BY REFERENCE WALDAUER INDICATES ADMITED MASS. BAR. VERIFY AND SUREP MXXX IMMEDIATELY.

HOOVER

L ONE ONE WORD SIX SHLD BE "SEVENTY-SEVEN"

HOLD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

WMM 3-1

WASHINGTON FIELD FROM BOSTON 8-23-49 10-30 AM EDT MBM

SAC, WASHINGTON FIELD URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION. REBUTEL AUGUST EIGHTEEN. ALL RECORDS SCHOOL OF ADVANCED INTERNATIONAL STUDIES, PETERBORO, NEW HAMPSHIRE, FORWARDED TO THAT SCHOOL'S MAIN OFFICE, FLORIDA [redacted], N.W., WASHINGTON, D. C., AUGUST NINETEEN, NINETEEN FORTYNINE. HANDLE.

SOUCY

77-3951
DFO:MBM
cc Bureau

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 56d8 SD/dmj

77-44206

56 SEP 26 1949

cc: Mr. Rosen
Mr. [redacted]lan
Mr. [redacted]man

Mr. Peyton Ford
The Assistant to the Attorney General

August 30, 1949

Director, FBI

BERNARD FENSTERWALD, JR.
DEPARTMENTAL APPLICANT
Antitrust Division

77-44206-5

RECORDED - 4

With reference to your memorandum dated August 16, 1949, requesting that an investigation be conducted concerning Bernard Fensterwald, Jr., the following information has been received from the Memphis Division of this Bureau:

"Neighbors and associates of Mr. Fensterwald advise that he is of excellent reputation and character; a loyal citizen, capable, and trustworthy. His mother is Mrs. Blanche Fensterwald, and he has a sister, Mrs. Robert Daniel Eisenstein, nee Ann Fensterwald. This sister formerly resided, and his mother now resides on Clarendon Avenue, Belle Meade, Nashville, Tennessee. Confidential Informant T-1, of known reliability, advised that the names of Mrs. B. Fensterwald and Ann Fensterwald, both of Belle Meade Park, Nashville, Tenn., appear on a list of delegates and members to the Southern Conference for Human Welfare, the third meeting, which was held on April 19 through 21, 1942, at Nashville, Tennessee. To date there has not been received any evidence to conclusively establish that his mother and sister are identical with the Mrs. B. Fensterwald and Ann Fensterwald listed as members of the Southern Conference for Human Welfare. All persons contacted who know his mother and sister state they are entirely loyal and very patriotic. Both are active in civic and charitable work.

Mr. Fensterwald's credit record is excellent and he has no criminal record. His birth was verified as August 2, 1921 at Nashville, Tennessee. His school records reflect excellent grades. However, he failed the Tennessee Bar examination taken last June and has not been admitted to the Bar. There is no derogatory information concerning character or loyalty in Bar Association files. Reference Abe D. Waldauer of Memphis, Tennessee, who is related to him is not available for interview."

The following information has also been received from the Boston Division of this Bureau:

"Mr. Fensterwald, Jr. graduated from Harvard College, Cambridge, Massachusetts in 1942 with BS Degree Magna Cum Laude and from the Harvard Law School with an LL. B. Degree in 1949. His record while at school was favorable. Reference Louis Sohn, lecturer at Harvard Law School was interviewed and recommended him favorably. References, Abe D. Waldauer and Milton J. Shaw, both recommend him as loyal American of excellent reputation and character and consider him unusually intelligent and ambitious."

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/74 BY 5068 SID/dmj

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. [redacted]
Mr. [redacted]
Mr. Quinn [redacted]
Tele. Room
Mr. Nease
Miss Gandy

UNRECORDED COPY FILED IN

77-44206
JAL:KMC

Mr. Peyton Ford
The Assistant to the Attorney General

The following information has also been received from the Washington Field Division of this Bureau:

"Mr. Fensterwald attended the School of Advanced International Studies, from January to June of 1946; also the summer sessions of 1947 and 1949. He completed the curriculum for an MA Degree in International Affairs. He was appointed an Ensign, United States Naval Reserve, on April 3, 1942; reported for active duty on September 18, 1942 and was detached from active duty on March 1, 1946 in the District of Columbia and ordered home. He was released from active duty on May 1, 1946. His efficiency ratings were given as average through excellent. He received a ten day suspension from duty on April 6, 1945, when a group of officers and men under his charge violated orders governing their conduct while sight seeing in the Philippine Islands. The Office of Naval Intelligence Records contain no derogatory information concerning him nor do the records of the Civil Service Commission, nor the House Committee on Un-American Activities. He has no criminal or credit record in Washington, D.C."

The investigation has been completed and you will be furnished with copies of detailed reports as they are received.

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Gandy

4643

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Hogan
Tele. Room
Mr. Nease
Miss Gandy

FBI MEMPHIS 8-25-49 4-25 PM PB

DIRECTOR, FBI URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION.

NEIGHBORS AND ASSOCIATES OF ~~APPLICANT~~ HIM AND HIS FAMILY ADVISE THAT HE IS OF EXCELLENT REPUTATION AND CHARACTER; A LOYAL CITIZEN, CAPABLE, AND TRUSTWORTHY. ~~APPLICANTS~~ HIS MOTHER IS MRS. BLANCHE FENSTERWALD, AND HE HAS A SISTER, MRS. ROBERT DANIEL EISENSTEIN, NEE ANN FENSTERWALD. HIS SISTER FORMERLY RESIDED, AND HIS MOTHER NOW RESIDES ON CLARENDON AVENUE, BELLE MEADE, NASHVILLE, TENN. CONFIDENTIAL INFORMANT T-ONE, OF KNOWN RELIABILITY, ADVISED THAT THE NAMES OF MRS. B. FENSTERWALD AND ANN FENSTERWALD, BOTH OF BELLE MEADE PARK, NASHVILLE, TENN., APPEAR ON A LIST OF DELEGATES AND MEMBERS ~~OF~~ TO THE SOUTHERN CONFERENCE FOR HUMAN WELFARE, ~~AT~~ THE THIRD MEETING, [illegible] APRIL NINETEEN THROUGH TWENTYONE, NINETEEN FORTYTWO, AT NASHVILLE, TENN. TO DATE THERE HAS NOT BEEN RECEIVED ~~NO~~ ANY EVIDENCE TO CONCLUSIVELY ESTABLISH THAT ~~APPLICANTS~~ HIS MOTHER AND SISTER ARE IDENTICAL WITH THE MRS. B. FENSTERWALD AND

77-44206-5

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED 8/5/94 566B SLD/dmj

RECORDED INDEXED - 4

8/31/49

PAGE TWO

ANN FENSTERWALD LISTED IN THE ABOVE CONNECTION WITH THE SOUTHERN CONFERENCE FOR HUMAN WELFARE. ALL PERSONS CONTACTED WHO KNOW APPLICANTS MOTHER AND SISTER STATE THEY ARE ENTIRELY LOYAL AND VERY PATRIOTIC. BOTH ARE ACTIVE IN CIVIC AND CHARITABLE WORK. APPLICANTS CREDIT RECORD IS EXCELLENT, CRIMINAL RECORD NEGATIVE. BIRTH VERIFIED AS AUGUST TWO, TWENTYONE, NASHVILLE, TENN. SCHOOL RECORDS REFLECT EXCELLENT GRADES. APPLICANT FAILED TENN. BAR EXAMINATION TAKEN JUNE LAST AND NOT ADMITTED TO BAR. NO DEROGATORY INFORMATION ABOUT CHARACTER OR LOYALTY OF APPLICANT IN BAR FILES. REFERENCE ABE D. WALDAUER, MEMPHIS, TENN. WHO IS RELATED TO APPLICANT, NOT AVAILABLE FOR INTERVIEW. LEAD SET. APPLICANT MARRIED TO BETTY VOSBERRY OF WASHINGTON, D.C., UNKNOWN DATE. REPORT FOLLOWS.

HOSTETTER

END

632PM OK FBI WASH DC CCW

V

AUGUST 25, 1949

Mr. Tolson
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr.
Tele. Room
Mr. Nease
Miss Gandy

4643

FBI WASH FIELD 8-25-49 8 PM

DIRECTOR

BERNARD FENSTERWALD, JR., ANTITRUST DIVISION, REBUFILE SEVENTYSEVEN DASH FOUR FOUR TWO ZERO SIX. REBUTEL AUGUST EIGHTEEN LAST. APPLICANT ATTENDED SCHOOL OF ADVANCED INTERNATIONAL STUDIES, D.C., JANUARY TO JUNE OF 19 FORTYSIX; ALSO SUMMER SESSIONS OF FORTYSEVEN AND FORTYNINE, PETERBORO, NH. COMPLETED CURRICULUM FOR MA DEGREE IN INTERNATIONAL AFFAIRS. APPOINTED ENSIGN, USNR, APRIL THREE, FORTYTWO; REPORTED ACTIVE DUTY SEPTEMBER EIGHTEEN, 19 FORTYTWO; DETACHED FROM ACTIVE DUTY MARCH ONE, FORTYSIX AT DC AND ORDERED HOME; RELEASED FROM ACTIVE DUTY MAY ONE, FORTYSIX. EFFICIENCY RATINGS AVERAGE THROUGH EXCELLENT. RECEIVED TEN DAY SUSPENSION FROM DUTY ON APRIL SIX, FORTYFIVE, WHEN GROUP OF OFFICERS AND MEN UNDER HIS CHARGE VIOLATED ORDERS GOVERNING THEIR CONDUCT WHILE SIGHT SEEING IN PHILIPPINE ISLANDS. FORMER ACQUAINTANCE RECOMMENDS APPLICANT. ONI RECORDS CONTAIN NO DEROGATORY INFORMATION. CSC, HCUA, ~~CRIMINAL, CREDIT NEGATIVE~~. REPORT FOLLOWS.

ALL INFORMATION CONTAINED
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DATE 8/6/94 BY 5068 SUD/anj

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26 SEP 27 1949

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-12-2015
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~~CONFIDENTIAL~~ Tickler: Liaison Section
Mr. Furyk

~~CLASSIFIED DECISIONS FINALIZED BY DEPARTMENTAL REVIEW COMMITTEE ON~~ DATE: ~~8/23/94~~ 5668 Sudamac

BY COURIER SERVICE

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

Date: February 28, 1956 (C) (U)

To: Mr. Dennis A. Flinn
Director
Office of Security
Department of State
515 22nd Street, N. W.
Washington, D. C.

(orig & 1) CLASSIFIED BY 10/1/79 EXTR... REA... FOR... DATE... DECLASSIFICATION... 10/1/85 SP/1 CSK (C)

~~8/3/94 5668 Sudamac~~ CA # 94-0655HHG

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: BERNARD PENSTERWALD, JR.
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE) (C) 4

A confidential source, who has furnished reliable information in the past, advised on February 21, 1956, that

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[redacted] (C) (U)

The above is furnished as a matter of interest to you and in view of the delicate nature of our source, it is requested that no further dissemination be made of this information without prior reference to this Bureau.

77-44206

cc - 1 - AAG William P. Tompkins, routing slip 06, same date.

NOT RECORDED
14 FEB 29 1956

(C) 4

cc - 1 - 77-44206 (C)

NOTE: Source is a highly confidential source of WFO. Pensterwald was investigated as departmental applicant, Anti-Trust Div. in 1949. Bufiles contain no ~~CONFIDENTIAL~~ derogatory data re subject. (C) U

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
Sizoo
Winterrowd
Tele. Room
Holloman
Gandy

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF

ORIGINAL FILED IN

8/5/94 5668SDdmj

WASHINGTON FROM BOSTON 1 26 12-29 AM

DIRECTOR URGENT

BERNARD FENSTERWALD, JR., DAPLI, ANTITRUST DIVISION. REBUTEL AUGUST EIGHTEEN LAST. APPLICANT GRADUATED HARVARD COLLEGE, CAMBRIDGE, MASS., FORTYTWO, BS, MAGNA CUM LAUDE, HARVARD LAW SCHOOL, LLB, FORTYNINE. INVESTIGATION FAVORABLE. REFERENCE LOUIS SOHN, LECTURER AT HARVARD LAW SCHOOL, INTERVIEWED WITH FAVORABLE RESULTS. NEIGHBORHOOD FAVORABLE. REFERENCE, ABE D. WALDAUER AND MILTON J. STARR, BOTH RECOMMEND APPLICANT AS LOYAL AMERICAN OF EXCELLENT REPUTATION AND CHARACTER AND CONSIDER HIM UNUSUALLY INTELLIGENT AND AMBITIOUS. REPORT FOLLOWS.

77-44206

SOUCY

EX-15

END

FBI MEMPHIS 8-19-49 6-25 PM AG

DIRECTOR, SACS WASHINGTON FIELD AND BOSTON

BERNARD FENSTERWALD, JR., ANTI TRUST DIVISION. REFERENCES ABE D. WALDAUER, MEMPHIS ATTONEY, PRESENTLY LOCATED SPRINGER COTTAGE, WEST YARMOUTH, MASS., CARE OF MILTON J. STARR, ALSO A REFERENCE. BOSTON INTERVIEW WALDAUER AND STARR, A WASHINGTON, D. C. RESIDENT. SUTEL BUREAU BY AUGUST TWENTYFIVE. SUREP AUGUST TWENTYNINE.

HOSTETTER EX-15 RECORDED 100 77-44206-8

AK IN ORDER PLS

WA CORRECTION NAME IN LINE FOUR WORD FIVE IS "STARR"

WA 8-28 PM OK FBI WASH DC ED

BS OK FBI BS JWT TWO COPIES WFO 8/5/94 5668 SLD/dmj

DIC

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

BS FILE NO. 77-3951-jah

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
BOSTON, MASS.	9/12/49	9/9/49	DON R. ROSE

TITLE	CHARACTER OF CASE
BERNARD FENSTERWALD	DEPARTMENTAL APPLICANT ANTI-TRUST DIVISION

SYNOPSIS OF FACTS: Records, Office of Clerk of Supreme Judicial Court of Mass. reflect Applicant passed Mass. Bar examination on 7/1/49 and scheduled to take oath and be admitted to practice on 9/27/49.

- R U C -

REFERENCE: Bureau teletype dated September 7, 1949.

DETAILS: Miss CHARLOTTE SNYDER, secretary, Mass. Bar Examiners Office, 73 Tremont Street, Boston, Massachusetts, advised that according to the records of that office Applicant filed a petition for examination and admission to the Massachusetts Bar in Superior Court, Suffolk County, subsequently passed the Massachusetts Bar examination on July 1, 1949 and is scheduled to take this oath and to be admitted to practice on September 27, 1949, at which time he will become a member of the Massachusetts Bar.

Miss ANNA MURRAY, Office of Clerk of Supreme Judicial Court of Massachusetts, Boston, Massachusetts, advised that the records of that office reflect Applicant to be recommended for admission to the Massachusetts Bar on September 27, 1949.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN

AGENCY Boston - ASD
REQ. REC'D 9-22-49
REP'T FORW. 9-26-49
BY

8/5/94 5668 SD/dmj

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EX-119

U. S. GOVERNMENT PRINTING OFFICE 7—2034

FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT BUREAU

FILE NO. 77-882

REPORT MADE AT	DATE WHEN MADE	PERIOD FOR WHICH MADE	REPORT MADE BY
MEMPHIS, TENNESSEE	8/26/49	8/18,19,23,24/49.	FRANCIS J. NORWOOD ABK

TITLE	CHARACTER OF CASE
BERNARD FENSTERWALD, JR., aka Bud Fensterwald	DEPARTMENTAL APPLICANT ANTITRUST DIVISION

SYNOPSIS OF FACTS:

Birth verified as 8-2-21, Nashville, Tenn. High School records reflect excellent grades. Applicant failed Tennessee Bar examination taken June, 1949, and not admitted to bar. No derogatory information about character or loyalty of applicant in bar files. Reference ABE D. WALDAUER related to applicant, not available at Memphis for interview. Applicant married to BETTY VOSBERRY of Washington, D.C., date unknown. Neighbors and associates of applicant and family advise he is of excellent reputation and character, a loyal citizen, capable and trustworthy. Applicant's mother is Mrs. BLANCHE FENSTERWALD and he has a sister, Mrs. ROBERT DANIEL EISENSTEIN, nee ANN FENSTERWALD. Sister formerly resided and mother now resides on Clarendon Avenue, Belle Meade, Nashville, Tenn. Confidential Informant T-1 of known reliability advised that names of Mrs. B. FENSTERWALD and ANN FENSTERWALD, both of Belle Meade Park, Nashville, Tennessee, appear on a list of delegates and members of the Southern Conference for Human Welfare at the third meeting, April 19 through 21, 1942, at Nashville, Tenn. No information received to date to conclusively establish that applicant's mother and sister are identical with the Mrs. B. FENSTERWALD and ANN FENSTERWALD listed as delegates to the Southern Conference for Human Welfare. All persons contacted who know applicant's mother and sister state they are entirely loyal and very patriotic. Both are active in civic and charitable work. Applicant's credit record is excellent; criminal record negative, Nashville, Tenn.

- RUC -

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
D.A. Hollaway/mw		77-44206-11

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8/5/44 5668SD/dmj

SEE REVERSE SIDE FOR ADD. DISSEMINATION.

U. S. GOVERNMENT PRINTING OFFICE 7—2034

ME #77-882

REFERENCE: Bureau teletype to Memphis 8-13-49.

DETAILS: BIRTH

Miss Annette Chandler, Division of Vital Statistics, Tennessee Department of Public Health, Nashville, Tennessee, advised from records that applicant was born on August 2, 1921, in Nashville, Davidson County, Tennessee. His father was given as BERNARD FENSTERWALD and his mother as BLANCHE LINDAUER.

EDUCATION

Mr. MARVIN T. DUNCAN, Duncan School, 401 25th Avenue South, Nashville, Tennessee, advised that the applicant attended that school for five years and that his grades were excellent, being in the high nineties for the entire time. He stated that the applicant is industrious and capable and has a very retentive mind. He also advised that he has known the family for years and they are outstanding people, loyal and patriotic. The applicant graduated from the Duncan School in 1938 and entered Harvard the following year.

EMPLOYMENT

CHARLES L. NEELY, secretary of the Tennessee Bar Association and a member of the Board of Bar Examiners for the State of Tennessee, Columbian Mutual Tower, Memphis, Tennessee, advised that applicant did not pass the Tennessee Bar examination afforded him in June, 1949, and, therefore, has not been admitted to the Tennessee Bar. He stated that applicant's grades were not far below passing and that his lowest grade was in Tennessee law.

NEELY said that he has no information of a derogatory nature as to applicant's character or loyalty in his files. He added that the Bar Committee at Nashville, Tennessee, found applicant to be of good moral character. A certificate in applicant's file in NEELY's office reflects that he received a LL.B. Degree at Harvard University June 23, 1949, and an S.B. Degree magna cum laude in Government June 11, 1942.

A letter from applicant to NEELY dated May 18, 1949, reflects his address as 7 Irving Terrace, Cambridge, Massachusetts, and stated that after June 1, 1949, his address would be Clarendon Avenue, Belle Meade, Nashville, Tennessee.

On FENSTERWALD's Application for Admission to the Bar upon Examination, executed May 7, 1949, he listed his date of birth as August 2, 1921, Nashville, Tennessee, and stated that his parents are BERNARD FENSTERWALD, SR., of Burk and Company, Church Street, Nashville, Tennessee, and BLANCHE LINDAUER FENSTERWALD, Clarendon Avenue, Nashville, Tennessee. He listed as references in this Bar Application DAN MAY, manufacturer, Fairmont Drive, LAWRENCE GOODMAN, musician,

Woodmont Boulevard, Dr. SAMUEL S. RIVEN, 4009 Aberdeen Road, Mrs. LUKE LEA, 3700 Whitland Avenue, all of Nashville, Tennessee, and ABE D. WALDAUER, Memphis, Tennessee.

REFERENCE

At the office of ABE D. WALDAUER, Commerce Title Building, Memphis, Tennessee, it was ascertained that WALDAUER will be at West Yarmouth, Massachusetts, in care of MILTON J. STARR, Springer Cottage, until September 1, 1949.

HARRY U. SCRUGGS, State Senator and law partner of WALDAUER, voluntarily advised that he has known applicant about three years but has not been closely associated with him, having met applicant through WALDAUER, who is related to applicant through marriage. SCRUGGS said from the few times he has talked to applicant and from comments about applicant by WALDAUER and persons whose judgment he respects at Nashville, Tennessee, he, SCRUGGS, has concluded that applicant is of good moral character, well rounded and loyal. He stated that his opinion was based primarily on hearsay rather than on personal knowledge. He does not know applicant's family and has no knowledge or information concerning applicant's legal ability.

NEIGHBORHOOD

Mrs. RICHARD BURR, JR., Sutherland and Clarendon Avenues; Mr. MARION SMITH, Clarendon Avenue; and Mr. ROBERT LUSK, Clarendon Avenue, all Nashville, Tennessee, advised that they were acquainted with the applicant and his family as neighbors. They advised that the applicant has not been at home much since the family has lived on Clarendon Avenue, as he has been away in armed service and at school. They stated that they consider him of excellent reputation and character. They each advised that they had no reason to doubt his loyalty and that they considered him a very patriotic citizen. Each of them stated the applicant has a good mind and is apparently capable of handling any work in his field.

These neighbors stated that the applicant's family is one of the oldest and most substantial families in Nashville, Tennessee. The FENSTERWALDS have always been leaders in the community and active workers in civic and charitable affairs. They stated that they have no reason to believe that any of them are disloyal and, on the contrary, they consider them highly patriotic.

ASSOCIATES

Confidential Informant T-1 of known reliability has advised that the names of Mrs. B. FENSTERWALD and ANN FENSTERWALD, both of Belle Meade Park, Nashville, Tennessee, appear on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting on April 19 through 21, 1942, at Nashville, Tennessee.

ME #77-882

Mr. DAN MAY, May Hosiery Mill, Nashville, Tennessee; Dr. SAMUEL S. RIVEN, Bennie Dillon Building, Nashville, Tennessee; and Mrs. LUKE LEA, 3700 Whitland Avenue, Nashville, Tennessee, associates of the applicant and his family, all advised that the applicant, who is generally called "BUD" FENSTERWALD, is industrious, capable, trustworthy, loyal, patriotic, and intelligent. They pointed out that he was always good at his school work and had applied himself to his studies. He went to great trouble to get in the Navy in World War II in spite of a bad eye which might have kept him out, according to these associates. They advised that he had turned down a chance to go into his father's business, which is one of the most substantial clothing stores for men in Nashville, Tennessee, in order that he might follow his chosen profession of law.

These associates stated that his family consists of his father, BERNARD FENSTERWALD, SR., his mother, whose maiden name was BLANCHE LINDAUER, his sister, ANN, who is now Mrs. ROBERT DANIEL EISENSTEIN, and his wife, who was formerly BETTY VOSBERRY of Washington, D. C. They have lived in Belle Meade, a suburban residential district of Nashville, Tennessee, for years and are quite prominent in civic affairs. The applicant's father is on the Board of Trustees of Vanderbilt University, the Board of Governors for Vanderbilt Hospital, the Board of Directors for Fisk University, a leading member of the Nashville Chamber of Commerce, and has been an active participant in nearly all charitable undertakings in Nashville, Tennessee, until poor health in recent years has forced him to retire, to a certain extent. His mother has been one of the leaders in the Nashville community agencies, on the Board of the Community Chest and an active Red Cross worker. His sister has been active in charitable work and prominent in social affairs in Nashville.

All the associates state that they consider the applicant's family loyal and that they have never known of them having membership in any organization which might be considered even slightly subversive or un-American. They could give little information on applicant's brother-in-law, ROBERT DANIEL EISENSTEIN, who is originally from Iowa, or applicant's wife, BETTY VOSBERRY, who is the daughter of a retired naval officer and who lived in Washington, D. C. They stated that applicant's wife was a Lieutenant in the Navy.

Confidential Informant T-2, who is reliable and who is acquainted with the applicant and his family, knew quite a bit about the activities of the Southern Conference of Human Welfare when it was in Nashville, Tennessee. He stated that he did not recall the applicant's mother or sister, ANN FENSTERWALD, being active in the Southern Conference of Human Welfare or even being associated with it. He stated that it was quite possible that they were contributors and that they attended the meeting held in August of 1942. He pointed out that many leading citizens of Nashville, Tennessee, had been approached by the Southern Conference of Human Welfare for donations and sponsorship. At the time they were given to understand that it was a semi-religious organization set up to give aid to the negro race. He stated that it was logical that the FENSTERWALDS would be approached and they may have contributed, as they have been leaders in charitable

work, and BERNARD FENSTERWALD, SR., is one of the Board of Directors of Fisk University, a negro university in Nashville, Tennessee. He pointed out that at the particular meeting, in August of 1942, Mrs. ELEANOR ROOSEVELT was the guest speaker and many people attended for that one reason alone. He stated that the applicant and his family bear an excellent reputation in Nashville, Tennessee, and that he believes there is absolutely no reason to question his loyalty or the loyalty of any member of the family. He stated that the applicant is capable and trustworthy.

CREDIT

Miss ANNA VARLEY, Nashville Retail Credit Association, Nashville, Tennessee, advised that the applicant has an excellent credit rating. She stated that there was no derogatory information in their records.

CRIMINAL

The records of the Nashville Police Department, the Sheriff's Office of Davidson County, and the Clerk of Criminal Court of Davidson County, Nashville, Tennessee, reflect no criminal record for the applicant or any of his family.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

ME 77-882

INFORMANT PAGE

Confidential Informant T-1 is being identified in a separate letter to the Bureau.

Confidential Informant T-2 is [redacted], who requested that his name be kept confidential due to the nature of the information furnished and his close association with the family. b7D

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: August 26, 1949

FROM : SAC, Memphis [redacted]

SUBJECT: BERNARD FENSTERWALD, aka
Bud Fensterwald
DEPARTMENTAL APPLICANT
ANTITRUST DIVISION

Reference is made to the report of SA FRANCIS W. NORWOOD dated August 26, 1949, at Memphis, referring to information furnished by Confidential Informant T-1.

The information attributed to T-1 appears on pages 7 and 11 of the report of SA JOHN L. ROBERTS dated November 4, 1942, at Memphis, Tennessee, entitled "SOUTHERN CONFERENCE FOR HUMAN WELFARE, INTERNAL SECURITY - R," apparently reflecting the result of a highly confidential investigative technique.

GAE:abk
77-882

77-44206-10X

RECORDED - 111

23 SEP 14 1949

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5068 SLD/dmy

JAN 13 1950

JAMES O. EASTLAND, MISS., CHAIRMAN
ESTES KEFAUVER, TENN.
OLIN D. JOHNSTON, S.C.
THOMAS C. HENNINGS, JR., MO.
JOHN L. MC CLELLAN, ARK.
JOSEPH C. O'MAHONEY, WYO.
SAM J. ERVIN, JR., N.C.
JOHN A. CARROLL, COLO.
THOMAS J. DODD, CONN.
PHILIP A. HART, MICH.
ALEXANDER WILEY, WIS.
WILLIAM LANGER, N. DAK.
EVERETT MC KINLEY DIRKSEN, ILL.
ROMAN L. HRUSKA, NEBR.
KENNETH B. KEATING, N.Y.

United States Senate

COMMITTEE ON THE JUDICIARY

Mr. Tolson
Mr. Belmont
Mr. DeLoach
Mr. McGuire
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C.Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

February 18, 1959

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Hoover:

Pursuant to Committee Resolution adopted at its organization meeting of January 26, 1959, I am submitting herewith the name of Bernard Fensterwald, Jr.*, counsel of the Subcommittee on Constitutional Amendments, together with standard Form 57, United States Civil Service Commission, for the purpose of providing information to assist the investigation.

It will be appreciated if you will forward to me, as Chairman of the Committee on the Judiciary, a report on Mr. Fensterwald when the investigation has been completed.

With kindest regards, I am

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 9668 SD/dmj

Sincerely yours,

James O. Eastland
Chairman

* Presently Administrative Assistant To Senator Hennings.

JOE:mc
encl

1 ENCLOSURE

REC-44 77-44206-11

FEB 25 1959

EX-102

66 APR 9 1959

FEB 19 1959

ARD FORM 57
MAY 1954
L SERVICE COMMISSION

PLICATION FOR FEDERAL EMPLOYMENT

APPLICATION NO.

ANNOUNCEMENT

1. Kind of position applied for or name of examination
Counsel, Senate Subcommittee on Constitutional Amendments

2. Option(s) *(if mentioned in examination announcement)*

3. Place of employment applied for *(city and State)*
Washington, D.C.

4. *(First name) (Middle) (Maiden, if any) (Last)*
Mr. Mr. Bernard Fensterwald, Jr.
Mrs.
Miss

5. Street and number or R. D. number
851 N. Lexington St.

City or post office *(including postal zone)* and State
Arlington, Va.

6. Place of birth
City Nashville, Tenn.

State or foreign country

7. Date of birth *(month, day, year)*
Aug. 2, 1921

8.
☒ Male
☐ Female

9. Height without shoes
5 feet 7 inches
Weight 135 pounds

10.
☒ Married
☐ Single

DO NOT WRITE IN THIS BLOCK
For Use of Civil Service Commission Only

☐ Appor. ☐ Nonappor.	Material ☐ Submitted ☐ Returned	Entered Register:
Notations:	App. Review: Approved:	

Option	Grade	Earned Rating	Preference	Augm. Rating
			☐ 5 Points (Tent.)	
			☐ 10 Point Comp. Dis.	
			☐ Other 10 Point	
			☐ Disal.	
			☐ Being Investigated	
Initials and Date				

11. Home phone
JA 2-0949

Office phone
Di 7-8220

12. Legal or voting residence *(State)*
Virginia

13. If you have ever been employed by the Federal Government, indicate last grade
Admin. Asst. To U.S. Senator (no grade)
Dates of service in that grade
From Jan. 1957 To Jan. 1959

14. AVAILABILITY INFORMATION. A. Indicate the lowest salary you will accept $ per
You will not be considered for any position with a lower entrance salary.

B. If you are now a Federal employee, indicate the lowest grade you will accept

C. Will you accept appointment for ☐ 1 to 3 months? ☐ 3 to 6 months? ☐ 6 to 12 months?
Acceptance or refusal of a short-term appointment will not affect your consideration for another appointment.

D. Are you willing to travel ☐ Occasionally? ☐ Frequently? ☐ Constantly?

E. Will you accept appointment ☐ In Washington, D. C.? ☐ Anywhere in United States? ☐ Outside U. S.?

F. If you will accept appointment only in certain locations, list them:

15. VETERAN PREFERENCE. A. If you claim 5-point preference based on wartime military service, indicate:

Date(s) of entry into active service	Date(s) of separation	Branch of service *(Army, Navy, Air Force, etc.)*	Serial number. If none, give grade or rating at separation
Sept 1942	May 1946	Navy	142274

B. Do you claim 5-point preference as a peacetime campaign veteran? ☐ Yes ☒ No

C. Do you claim 10-point preference? ☐ Yes ☒ No

D. Have you ever been granted 10-point veteran preference or 5-point preference as a peacetime campaign veteran by the U. S. Civil Service Commission? ☐ Yes ☒ No If so, indicate below the office which granted this preference to you. Attach your notice of preference allowance if available. It will be returned to you.

Name of U. S. Civil Service Commission office or name of Board of U. S. Civil Service Examiners

Address of Commission office or Board of Examiners
City
State

THIS SPACE FOR USE OF APPOINTING OFFICER ONLY. The information contained in answer to question 15A has been verified with the discharge certificate, which shows that the separation was under honorable conditions.

Signature

Agency

Title

Date

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/amy

77-44206-11

16

(Continued on next page)

ENCLOSURE

16—53946-3

16. EXPERIENCE. *(Start with your present position and work back)*

① Dates of employment *(month, year)* From January, 1957 To present time

Exact title of your position Admin. Assistant to U.S. Senator Thomas C. Hennings, Jr.

Salary or earnings
Starting $ per
Final $ per

Classification Grade *(if in Federal service)*

Place of employment
City Washington, D.C.
State

Kind of business or organization *(manufacturing, accounting, insurance, etc.)*

Name and address of employer *(firm, organization, etc.)* U.S. Senator Thomas C. Hennings, Jr.

Name and title of immediate supervisor

Reason for wanting to leave Desired Committee work.

Description of work General administrative, legislative, and legal duties.

② Dates of employment *(month, year)* From July, 1950 To Sept, 1956

Exact title of your position Assistant to the Legal Adviser

Salary or earnings
Starting $ 3800.00 per
Final $ 8500.00 per

Classification Grade *(if in Federal service)* GS 11 or 12

Place of employment
City Washington D.C.
State

Kind of business or organization *(manufacturing, accounting, insurance, etc.)*

Name and address of employer *(firm, organization, etc.)* U. S. Department of State

Name and title of immediate supervisor Mr. Leonard C. Meeker, Asst. Legal adviser

Reason for leaving Wished to actively engage in 1956 political campaign

Description of work General legal duties, with emphasis on international law and problems concerning the United Nations.

③ Dates of employment *(month, year)* From To

Exact title of your position

Salary or earnings
Starting $ per
Final $ per

Classification Grade *(if in Federal service)*

Place of employment
City
State

Kind of business or organization *(manufacturing, accounting, insurance, etc.)*

Name and address of employer *(firm, organization, etc.)*

Name and title of immediate supervisor

Reason for leaving

Description of work

16—53946-3

ATTACH SUPPLEMENTAL SHEETS OR FORMS HERE

Dates of employment *(month, year)* From / To	Exact title of your position		
Salary or earnings Starting $ per Final $ per	Classification Grade *(if in Federal service)*	Place of employment City State	Kind of business or organization *(manufacturing, accounting, insurance, etc.)*
Name and address of employer *(firm, organization, etc.)*		Name and title of immediate supervisor	
Reason for leaving			
Description of work			

If you need additional experience blocks, use supplemental sheets. SEE INSTRUCTION SHEET.

17. SPECIAL QUALIFICATIONS AND SKILLS.

(A) Licenses and Certificates.—Indicate the kind of license or certificate and the State or other licensing authority which granted it; for example, pilot, teacher, electrician, lawyer, radio operator, C. P. A., etc.

Kind of License: lawyer — Licensing Authority: Mass.& D.C.

(B) List any special skills you possess and machines and equipment you can use, such as short-wave radio, multilith, comptometer, key-punch, turret lathe, scientific or professional devices.

(C) Approximate number of words per minute in:

Typing _____ Shorthand _____

(D) Give any special qualifications not covered elsewhere in your application, such as:

(1) Your more important publications. *(Do not submit copies unless requested)*
(2) Your patents or inventions.
(3) Public speaking and public relations experience.
(4) Membership in professional or scientific societies, etc.
(5) Honors and fellowships received.

18. EDUCATION.

A. Give the highest elementary or high-school grade completed: 12th

If you completed high school, give date: 1938

B. Name and location of last high school attended: Duncan Prep School, Nashville, Tenn.

C. Name and location of college or university:	Dates attended From	Dates attended To	Years completed Day	Years completed Night	Credit hours Semester or Quarter	Degrees received
Harvard College	1938	1942	4			BS
Harvard Law School	1946	1949	3			LLB
Sch. Advanced International Studies	1946	1950	1			MA
Cambridge (Eng) University	1954	1955	1½			none

D. Chief undergraduate college subjects	Credit hours Semester or Quarter	E. Chief graduate college subjects	Credit hours Semester or Quarter
Political science		law	

F. Other schools or training, such as trade, vocational, Armed Forces, or business. Give for each name and location of school, dates attended, subjects studied, certificates, and any other pertinent data:

19. Have you lived or traveled in any foreign countries?

☒ Yes ☐ No

If answer is "Yes," give in Item 34 names of countries, dates, and length of time spent there and reason or purpose *(military service, business, education, or vacation)*.

20. Indicate your knowledge of foreign languages.	Reading EXC.	Reading GOOD	Reading FAIR	Speaking EXC.	Speaking GOOD	Speaking FAIR	Underst'ng EXC.	Underst'ng GOOD	Underst'ng FAIR	Writing EXC.	Writing GOOD	Writing FAIR

16—53946-3

21. REFERENCES.—List three persons living in the United States or Territories of the United States who are NOT RELATED TO YOU AND WHO HAVE DEFINITE KNOWLEDGE of your qualifications and fitness for the position for which you are applying. Do not repeat names of supervisors listed under Item 16, EXPERIENCE.

FULL NAME	PRESENT BUSINESS OR HOME ADDRESS Give complete current address	BUSINESS OR OCCUPATION
1. Estes Kefauver	US Senate	US Senator
2. Mr. Adrian Fisher	Washington Post	lawyer
3. Mr. Herman Phleger	San Francisco, Calif.	lawyer

INDICATE ANSWER BY PLACING "X" IN PROPER COLUMN	YES	NO
22. (*a*) Are you a citizen of the United States of America, or (*b*) as a native of American Samoa do you owe allegiance to the United States of America?	✓	
23. Are you now, or have you ever been, a member of the Communist Party, U. S. A., or any Communist organization?		X
24. Are you now, or have you ever been, a member of a Fascist organization?		X
25. Are you now or have you ever been a member of any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means?		X
If your answer to question 23, 24, or 25 above is "Yes," state on a separate sheet to be attached to and made a part of this application the names of all such organizations, associations, movements, groups, or combination of persons and dates of membership. Give complete details of your activities therein and make any explanation you desire regarding your membership or activities. (See instruction sheet)		
26. Does the United States Government employ in a civilian capacity any relative of yours (by blood or marriage) with whom you live or have lived within the past 24 months? *If your answer is "Yes," give in Item 34 for EACH such relative (1) full name; (2) present address; (3) relationship; (4) department or agency by which employed; and (5) kind of appointment.*		X
27. A. Have you any physical handicap, chronic disease, or other disability?		X
B. Have you ever had a nervous breakdown?		X
C. Have you ever had tuberculosis?		X
If your answer to A, B, or C is "Yes," give details in Item 34.		

INDICATE ANSWER BY PLACING "X" IN PROPER COLUMN	YES	NO
28. May inquiry be made of your present employer regarding your character, qualifications, etc?	X	
29. Do you receive or have you applied for an annuity from the United States or District of Columbia Government under any retirement act or any pension or other compensation for military or naval service? *If your answer is "Yes," give details in Item 34.*		X
30. Are you an official or employee of any State, Territory, county, or municipality? *If your answer is "Yes," give details in Item 34.*		X
31. Have you ever been barred by the U. S. Civil Service Commission from taking examinations or accepting civil-service appointments? *If your answer is "Yes," give dates of and reasons for such debarment in Item 34.*		X
32. A. Have you ever been discharged from employment because: (1) Your conduct was not satisfactory?		X
(2) Your work was not satisfactory?		X
B. Have you ever resigned after official notification that: (1) Your conduct was not satisfactory?		X
(2) Your work was not satisfactory?		X
C. Have you ever been discharged from the Armed Services under other than honorable conditions?		X
If your answer to A, B, or C is "Yes," give details in Item 34 as clearly as you can remember, including the name and address of employer, approximate date, and reasons in each case.		
33. Have you ever been arrested, charged, or held by Federal, State, or other law-enforcement authorities for any violation of any Federal law, State law, county or municipal law, regulation or ordinance? Do not include anything that happened before your 16th birthday. Do not include traffic violations for which a fine of $25 or less was imposed. All other charges must be included even if they were dismissed. *If your answer is "Yes," give in Item 34 for each case: (1) approximate date, (2) charge, (3) place, (4) action taken.*		X

34. SPACE FOR DETAILED ANSWERS TO OTHER QUESTIONS. Indicate item numbers to which answers apply.

Item No.		Item No.	
	Traveled in many countries in most of world for both business + pleasure—		

If more space is required, use paper the same size as this page. Write on each sheet your name, date of birth, and examination title. Attach to inside of this application.

ATTENTION: If you are appointed, all facts you give will be subject to investigation including a check of your fingerprints. Before signing this application, go back over it to make sure you have answered all questions correctly and fully, so that your eligibility can be decided on the basis of all the facts. Admitted unfavorable information about such matters as arrests or discharges will be considered together with the favorable information in your record in determining your present fitness for Federal employment. However, a false statement or dishonest answer to any question may be grounds for cancellation of your application or your dismissal after appointment and is punishable by law.

I CERTIFY that the statements made by me in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Feb 16, 1959

Signature of applicant Bernard Fensterwald Jr.

16—53946-8 U. S. GOVERNMENT PRINTING OFFICE

4-22 (Rev. 12-10-58)

Federal Bureau of [redacted]vestigation
Records Br[redacted]

2-20-59, 1959

- [ ] Name Check Unit - Room 6523
- [ ] Service Unit - Room 6524
- [ ] Forward to File Review
- [ ] Attention _____
- [x] Return to Tierney 4651
  Supervisor Room Ext.

Type of References Requested:

- [ ] Regular Request (Analytical Search)
- [ ] All References (Subversive & Nonsubversive)
- [ ] Subversive References Only
- [ ] Nonsubversive References Only
- [ ] Main _____ References Only

Type of Search Requested:

- [ ] Restricted to Locality of _____
- [ ] Exact Name Only (On the Nose)
- [ ] Buildup [ ] Variations
- [ ] Check for Alphabetical Loyalty Form

Subject BERNARD FENSTERWALD JR.
Birthdate & Place 8-2-21 Nashville, Tenn.
Address
Admin. Asst. To Senator Hennings
Localities

R# 318 Date 2-20-59 Searcher Initials M.E.H.

	FILE NUMBER	SERIAL
I	77-44206	(Ident)
II	105-44852	PP (Ident)
	~~66-1372-28-1 Rm 1734~~	
III	62-102241-45	PP
I	105-50350-3 Hatch D	
	Mrs. Bernard	
II	105-50350	PP
IV	105-61861-2 Hatch D	
	NR 84	
	B.	
	NR	
	Mrs. B	
V	77-44206-3, 10,	I PP
II	105-50350-2	PP
IV	166-10355-82	PP
Miss	Bard	
I	77-44206	PP 6 PP
	~~66-1372-28-1 Rm 1734~~	
	Mrs. Bernard	
	Mrs. Bernard	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY SP6 SLH/dmg

4-22a (Rev. 8-23-57)

NUMEROUS REF[illegible]CE

SEARCH SL[illegible]

Subj: [illegible]

Supervisor [illegible] Room [illegible]

R# 318 Date 5-20-59 Searcher Initial [illegible]

	FILE NUMBER	SERIAL
TV	One 66-18621-069	pff
	NR in WFO, WFO in Quantico	

February 20, 1959

AIRTEL

TO: [redacted], MEMPHIS
BOSTON
ST. LOUIS
RICHMOND
SAN FRANCISCO
WASHINGTON FIELD
CHICAGO

FROM: DIRECTOR, FBI

BERNARD FENSTERWALD, JR., SPI, SENATE JUDICIARY COMMITTEE.

Chairman, Senate Judiciary Committee, requests investigation of Fensterwald who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee, and resides 851 North Lexington Street, Arlington, Virginia.

Received B.S. in 1942 and LL.B. in 1949 from Harvard University. Also attended School of Advanced International Studies, 1946-50, receiving M.A. Indicates attendance 1954-55, Cambridge University in England. Is licensed to practice law in Massachusetts and the District of Columbia. Served in U. S. Navy 1942-46, serial #142274. Employed 1/50 to 9/56, Department of State, Washington, D. C., as assistant to the Legal Advisor, and since 1/57 has been employed as administrative assistant to Senator Thomas C. Hennings, Jr.

As references lists Herman Phleger, attorney, San Francisco, California; Adrian Fisher, attorney, Washington, D. C.; and Senator Estes Kefauver. Also indicates travel in many countries throughout the world for both business and pleasure.

Conduct thorough investigation as to character, loyalty, reputation and associates of Fensterwald, accounting for entire adult life including education, employment and any periods of unemployment. Ascertain and report identity and current address

MLI:fil (16)

Note: Request received 2/20/59 by letter dated 2/18/59 from Senator Eastland.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SD/dmy

REC- 8 77-44206-12

11 FEB 25 1959

MAILED 5 FEB 20 1959 COMM-FBI

MAIL ROOM

67 MAR 3 - 1959

AIRTEL TO SACS, ME, BS, SL, RH, SF, WFO, CG
RE: BERNARD FENSTERWALD, JR., SPI

of all immediate relatives and make appropriate checks concerning each. Set out necessary leads by airtel except where more expeditious means necessary to insure deadline met. Surep to reach Bureau no later than 3/9/59.

2/24/59

AIRTEL

To : SACs, Memphis (77-882)
Boston (77-3951)
Washington Field Office (77-29779)
St. Louis
Richmond
San Francisco
Chicago

From : Director, FBI

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 5668 SLH/dmj

ReBuairtel 2/20/59.

Bureau files reflect Fensterwald subject of DAPLI investigation (attorney, Antitrust Division) in 1949. Appropriate offices review reports of 1949 investigation carefully for thoroughness under current SPI standards and bring up to date. Recontact all persons (including informants) who previously furnished unfavorable information for current comments. Insure all immediate relatives are identified, their current residence verified and appropriate checks made concerning each.

For information offices not concerned with 1949 investigation, a confidential informant advised during the 1949 investigation that the names of Mrs. B. Fensterwald and Ann Fensterwald, both of Belle Meade Park, Nashville, Tennessee, appeared on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting 4/19 through 4/21/42 in Nashville, Tennessee.

Boston, check bar association including grievance committee.

77-44206-13

Tolson
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

PFT:sp
(16)

P.F. Tierney 4651

MAILED 4
FEB 24 1959
COMM-FBI

NOT RECORDED
174 APR 7 1959

6 PFT

MAIL ROOM ☐ TELETYPE UNIT ☐

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 2/24/59

FROM: SAC, RICHMOND (77-0)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI

ReBuairtel dated 2/20/59.

No record in Richmond indices re appointee. RUC

2-Bureau
1-Richmond

ULS/mcw
(3)

77-44206-14

NOT RECORDED
8 FEB 25 1959

8/5/94 5668 SHD/drej

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 2/25/59

FROM: SAC, RICHMOND (77-0)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI

ReBuairtels dated 2/20/59 and 2/24/59 and Richmond airtel to Bureau dated 2/24/59.

No record Richmond indices re appointee. RUC

2-Bureau
1-Richmond

MJS/mcw
(3)

77-44206-15

NOT RECORDED
2 FEB 26 1959

8/5/94 56685MD/dmj

-56)

FBI

Date: 2/25/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, Jr.
SPI, SENATE JUDICIARY COMMITTEE

ReBuairtel 2/20/59.

Bureau's attention is directed to report of SA WILLIAM P. KOSTERMAN, titled "BERNARD FENSTERWALD, Jr., DAPLI, ANTI-TRUST DIVISION", dated 8/31/49, at WDC. UACB WFO will bring investigation up to date.

3 Bureau
1 WFO

FJH:vsh
(4)

8/5/94 5668 SHD/dmj

AIRTEL

77-44206-16

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

2/27/59

PLAIN TEXT

AIRTEL AIRMAIL

TO: SAC, WASHINGTON FIELD (77-29779)

FROM: SAC, ST. LOUIS (77-26153)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI

Rebuairtel to Memphis dated 2/24/59. BUDED: 3/9/59.

On 2/27/59, Personnel, DEPRC, NARS, St. Louis, Missouri advised SE [redacted] that the military service record for BERNARD FENSTERWALD, JR., Navy serial number 142 274, was not located this records center, but may be located Navy Annex, Arlington, Virginia. b6 b7C

Washington Field attempt to verify Navy military service.

- P -

HOWARD

2-Washington Field
1-Bureau
1-St. Louis
JWE:ceh
(4)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/99 BY 56685LD/dmj

77-44206-17

NOT RECORDED
6 MAR 2 1959

March 2, 1959

PLAIN TEXT

AIRTEL AIRMAIL

TO: SAC, WASHINGTON FIELD (77-29779)

FROM: SAC, ST. LOUIS (77-26153)

BERNARD FENSTERWALD, JR.
SPI

ReBuairtels dated 2/20/59 and 2/24/59. Buded 3/9/59.

St. Louis verifying employment with Dept. of State, Wash., D.C., 1/9/50 to 9/5/56. Was on leave without pay from 9/3/54 to 1/5/56, to study at the University of Cambridge.

Additional addresses were indicated as Clarendon Ave., Belleneade, Nashville, Tenn., in February, 1949, and 2016 "F" St., N.W., Wash., D.C., in January, 1950.

His wife was shown as ELIZABETH FENSTERWALD, residing 2016 "F" Street, N.W., Wash., D.C., in 1950.

Records indicated references in 1949 as DR. WILLIAM Y. ELLIOTT, School of Public Administration, Harvard University and JUDGE MANLEY O. HUDSON, Harvard Law School, both located Cambridge, Mass.; DR. HALFORD E. HOSKINS, School of Advanced International Studies, 1906 Florida Ave., N.W. Wash., D.C.

All offices conduct appropriate investigations, if not previously handled. P

HOWARD

2 - Washington Field
1 - Bureau
2 - Boston (77-3951)
2 - Memphis (77-382)
1 - St. Louis
JBS
(8)

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DATE 8/5/94 BY 5668 SND/drij

77-44206-18

RECORDED
1959

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
CHICAGO	BUREAU	3/3/59	2/25/59

TITLE OF CASE	Report made by	Typed By:
BERNARD FENSTERWALD, Jr.	LOUIS S. CRAIG	MAM
	CHARACTER OF CASE: SPECIAL INQUIRY SENATE JUDICIARY COMMITTEE	

Synopsis:

Reference: Bureau airtel to Memphis dated 2/20/59.

- RUC -

8/5/94 5668 SLS/dmj

Approved	Special Agent In Charge	Do not write in spaces below
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(2) - Bureau (AM)

1 - Chicago (77-10197)

COVER PAGE

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FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA LOUIS S. CRAIG
Office: CHICAGO
Date: March 3, 1959

File Number: Chicago 77-10197

Title: BERNARD FENSTERWALD, Jr.

Character: SPECIAL INQUIRY

Synopsis:

No record of American Bar Association membership on part of appointee located at Chicago, Illinois.

- RUC -

8/5/14 566854D/dmj

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16—74625-1 GPO

CG 77-10197

DETAILS:

Miss MARGARET HANSCHMANN, Clerk, American Bar Association, 1155 East 60th Street, Chicago, Illinois, advised on February 25, 1959, that a search of the Association's membership and grievance files failed to reflect any prior or current membership record for the appointee in the American Bar Association.

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
ST. LOUIS	BUREAU	3/4/59	2/25-26/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY

IC [redacted] b6 b7C

TYPED BY

clh

CHARACTER OF CASE

SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

SYNOPSIS:

REFERENCE: Bureau airtel dated February 20, 1959.
Bureau airtel dated February 24, 1959.
St. Louis airtel to Washington Field dated March 2, 1959.

STATUS: RUC

8/5/94 5685LD/dmj

APPROVED [redacted] SPECIAL AGENT IN CHARGE

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2 - Bureau (AIRMAIL)

1 - St. Louis (77-26153)

77-44206-20

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FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IO [redacted] Office: St. Louis b6
Date: March 4, 1959 b7C

File Number: St. Louis 77-26153

Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis:

Records FRC, GSA, St. Louis, Mo., indicated BERNARD FENSTERWALD, JR. employed by Dept. of State at Wash., D.C. Terminated by reason of resignation. During this employment he was designated as an Adviser to the Eighth Session of the United Nations General Assembly, New York City, and as an Ad Hoc Adviser to the Working Level Meeting on the Draft Statute of the International Atomic Energy Agency, Wash., D.C. Additional addresses, relative, and references set forth.

- RUC -

DETAILS: AT ST. LOUIS, MISSOURI

8/5/94 5668 SLD/dmj

On February 26, 1959, a review of the personnel records, Federal Records Center, General Services Administration, St. Louis, Missouri, for BERNARD FENSTERWALD, JR., indicated that he was employed on January 9, 1950, as an Attorney-Adviser with the Department of State, Office of Legal Adviser, Office of the Assistant Legal Adviser for International Organization Affairs at Washington, D.C. He was placed on leave without pay from September 3, 1954, to January 5, 1956, for educational purposes to study at the University of Cambridge. This employment was terminated on September 5, 1956, as an Attorney-Adviser by reason of resignation, to accept non-government employment.

The records indicated during the above employment he was designated by the Department of State as an Adviser on the United States Delegation to the Eighth Session of the United Nations General Assembly, New York City, September 15, 1953, and he was designated as an Ad Hoc Adviser on the United States Delegation to the Working Level Meeting on the Draft Statute of

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16—74625-1 GPO

St. Louis 77-26153

the International Atomic Energy Agency, Washington, D.C., February 27, 1956.

The records indicated additional addresses as Clarendon Avenue, Bellemeade, Nashville, Tennessee, in February, 1949, and 2016 "F" Street, Northwest, Washington, D.C., in January, 1950.

The records indicated his wife as ELIZABETH FENSTERWALD, residing at 2016 "F" Street, Northwest, Washington, D.C., in 1950.

The records indicated references in 1949 as DR. WILLIAM Y. ELLIOTT, School of Public Administration, Harvard University, Cambridge, Massachusetts; JUDGE MANLEY O. HUDSON, Harvard Law School, Cambridge, Massachusetts, and DR. HALFORD E. HOSKINS, School of Advanced International Studies, 1906 Florida Avenue, Northwest, Washington, D.C.

The date and the place of his birth were shown as August 2, 1921, at Nashville, Tennessee.

3/4/59

AIRTEL

TO: SAC, NEW HAVEN

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, Jr.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59, no cc New Haven.

Chairman Senate Judiciary Committee, requests investigation of FENSTERWALD, who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee. Buded 3/9/59.

FENSTERWALD was employed 1/50 to 9/56, Department of State, as assistant to the Legal Advisor. Personnel at Department of State, advise that JACK TATE, former Deputy Legal Advisor that agency, now Associate Dean at Yale University and well acquainted with appointee. New Haven handle.

NH

For information New Haven, appointee was subject of DAPLI investigation 1949, at which time a confidential informant advised that the names Mrs. B. FENSTERWALD and ANN FENSTERWALD, both of Belle Meade Park, Nashville, Tennessee, appeared on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting 4/19 through 4/21/42 in Nashville, Tennessee.

2 - New Haven
(1) - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

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77-44206-21

NOT RECORDED
4 MAR 5 1959

SEX

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
SAN FRANCISCO	BUREAU	3/6/59	3/5/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

Report made by: SA EDWARD DORNLAS, JR. | Typed By: vrg

CHARACTER OF CASE

SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

~~XXXXXXX~~
~~Synopsis:~~

REFERENCES: Bureau airtels to San Francisco, 2/20,24/59.

RUC

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HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5168 SLD/dmj

Approved: [signature] Special Agent In Charge

Copies made:
2 Bureau (AM)
1 San Francisco (77-7843)

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77-44206-22

NOT RECORDED
12 MAR 9 1959

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FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA EDWARD DORNLAS, JR. Office: San Francisco
Date: March 6, 1959

File Number: San Francisco 77-7843

Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis: HERMAN PHLEGER, a reference, advised Applicant employed under his supervision for 2 year period in State Department, Washington, D.C., recommends. Nothing unfavorable.

RUC

DETAILS

AT SAN FRANCISCO, CALIFORNIA

REFERENCE

Mr. HERMAN PHLEGER, partner in the law firm of BROBECK, PHLEGER and HARRISON, attorneys, 111 Sutter Street, was interviewed on March 5, 1959. He related that from 1953 to 1957 he was the Legal Adviser in the Department of State, Washington, D.C. He stated that the Applicant, for about a two year period until about 1956, was employed under his supervision in the United Nations Section. He related that the Applicant terminated his Government employment at that time to work on a political campaign.

Mr. PHLEGER stated that he had no outside association with Applicant during the two year period and that he had not met and was not acquainted with any members of Applicant's family.

8/5/94 5668 SLD/dmy

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16—74625-1 GPO

SF 77-7843
ED:vrg

Mr. PHLEGER described Applicant as a very industrious worker, and he would not question his associates or his reputation. He said he would readily re-employ the Applicant based upon his legal qualifications, ability, and good character. Mr. PHLEGER said he would recommend Applicant for any Government employment in a responsible position, and knew of no information of an unfavorable nature concerning him.

Rep[illegible]orm
FD-265 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
BOSTON	BUREAU	3/6/59	2/25/59 - 3/5/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

Report made by [redacted] b6 b7C

Typed By: baw

CHARACTER OF CASE

SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE.

~~XXXXXXXX~~

REFERENCE

Bureau airtel to Boston dated 2/20/59.
St. Louis airtel to WFO dated 3/2/59.

- P -

LEADS

BOSTON:

At Cambridge, Massachusetts
Will interview Professor WILLIAM Y. ELLIOTT, Harvard University, who is expected to be available during the week of 3/9/59.

ADMINISTRATIVE

Reference is made to St. Louis airtel to WFO, cc Boston, indicating that JUDGE MANLEY O. HUDSON, Harvard Law School, Cambridge, Mass., was a reference of appointee in 1949. It is to be noted that

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2 - Bureau (77-44206)

1 - Boston (77-3951)

[illegible] 8/5/94 5668 SLD/dmj

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BS 77-3951

Boston file 62-2704, serial 4, page 3, contains a list of individuals with whom contact by Boston Special Agents is not recommended. This list indicates Professor MANLEY O. HUDSON, 56 Garden Street, Cambridge, Massachusetts, Harvard Law School, is not to be contacted. Therefore, JUDGE HUDSON was not contacted during the course of this investigation.

FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: BOSTON b6 b7C
Date: 3/6/59

File Number: BS 77-3951 - BU 77-44206

Title: BERNARD FENSTERWALD, JR. -

Character: SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE.

Synopsis: No credit or arrest record. No record of any grievances filed against appointee at Massachusetts Supreme Judicial Court or Massachusetts Bar Association.

- P -

Details:

Investigation at Peterborough and Keene, New Hampshire, was conducted by SA [redacted]; at Concord, New Hampshire, by SA [redacted]. b6 b7C

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DATE 8/5/99 5668 SLD /dmj

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16—74625-1 GPO

BS 77-3951

CREDIT

On March 5, 1959, Miss LEDORA BUTTRICK, Keene Credit Bureau, Keene, New Hampshire, which bureau covers Peterborough, New Hampshire, advised that she could locate no record in her files in the name of BERNARD FENSTERWALD, JR.

ARREST

Miss MARY C. LANNON, Clerk, Cambridge, Massachusetts, Police Department advised on March 5, 1959, that she could locate no arrest record in her files for BERNARD FENSTERWALD, JR.

ALBERT PICARD, Chief of Police, Peterborough, New Hampshire, Police Department, advised on March 5, 1959, that he could locate no arrest record in the files of his department for BERNARD FENSTERWALD, JR.

Personnel of the New Hampshire State Police Headquarters, Identification Section, Concord, New Hampshire, a central repository for arrest records in the State of New Hampshire, advised on February 25, 1959, that BERNARD FENSTERWALD, JR. had no arrest record with that department.

MISCELLANEOUS

Miss PATRICIA CALLAHAN, Office of the Clerk of the Supreme Judicial Court, Suffolk County Courthouse, Boston, Massachusetts, advised on March 5, 1959, that their records showed that the appointee was admitted to the Massachusetts Bar on September 27, 1949, and that their files showed no record of any grievances having been filed against him.

Miss MARGARET WEISS, Massachusetts Bar Association, 15 Court Street, Boston, Massachusetts, advised on March 5, 1959, that the files of that office showed no record of any grievances having been filed against BERNARD FENSTERWALD, JR.

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
MEMPHIS	BUREAU	3/6/59	3/3/59

TITLE OF CASE

"CHANGED"
BERNARD FENSTERWALD, Jr.,
Aka "Bud"

Report made by: FRANCIS W. NORWOOD

Typed By: krp

CHARACTER OF CASE

SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Synopsis:

The title of this case is marked "changed" to include the name "BUD" FENSTERWALD developed in previous investigation.

REFERENCES

Bureau airtel to Memphis and other offices dated 2/20/59.
Bureau airtel to Memphis and other offices dated 2/24/59.

- RUC -

INFORMANTS

Memphis confidential informant T-1 is [redacted], who furnished information on a confidential basis to SA FRANCIS W. NORWOOD in the case entitled [redacted]

b7D
b7E

8/5/94 5668 SLDdmy

Approved [signature] Special Agent In Charge

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1 - Memphis (77-882)

77-44206-24
NCI-12
SD
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ME 77-882

ADMINISTRATIVE

Applicant was investigated in the Memphis Division in 1949 (See report of SA FRANCIS W. NORWOOD dated 8/26/49 at Memphis, entitled "BERNARD FENSTERWALD, Jr., aka Bud Fensterwald, Departmental Applicant, Antitrust Division.) There is no indication that he has resided in Nashville, Tennessee, since that time. Material concerning FENSTERWALD and his relatives received since that time is included from file review. Credit and criminal checks were made on applicant's uncle and cousin, inasmuch as there is apparently a close family relationship.

FD-204 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA FRANCIS W. NORWOOD
Date: March 6, 1959

Office: MEMPHIS

File Number: Memphis 77-882

Title: BERNARD FENSTERWALD, Jr.

Character: SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Synopsis: Informant advised in 1957 that applicant and relatives have traveled extensively, including trips to Russia and other points behind Iron Curtain, which trips are designed to satisfy their intellectual curiosity. One news article refers to trip to Russia to be taken by applicant and his mother. Credit and criminal on relatives checked. Credit favorable. No criminal record.

- RUC -

8/5/94 5668 SLD/dmj

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16—74025-1 GPO

ME 77-882

DETAILS:

An article appeared in the Nashville "Banner," a daily newspaper published in Nashville, Tennessee, on June 21, 1956, which stated that BERNARD FENSTERWALD, Jr., a State Department lawyer, and his mother, Mrs. BERNARD FENSTERWALD, Sr., Clarendon Avenue, Nashville, would leave the following Friday on a 3-week vacation trip to Russia.

BERNARD FENSTERWALD, Jr., was quoted in the article and he indicated that it was strictly a vacation trip and that he and his mother were curious to see what was going on behind the Iron Curtain. He stated that they planned to visit Leningrad, Moscow, Stalingrad, Rostov and Kiev, and that they were more interested in seeing the industries and the people than in browsing through art museums. It was stated that this was to be BERNARD FENSTERWALD's first trip to Russia, but his mother was said to have visited there under the Czarist regime just before World War I. The article further stated that BERNARD FENSTERWALD had recently returned from a year and a half in Western Europe, chiefly spent in studying at Cambridge University. He described himself as an international lawyer. He was further described as having been a State Department official since 1950, and as being in the United Nations Affairs Section of the Office of the Legal Adviser to the Secretary of State.

In connection with another matter, the following information was received from Memphis confidential informant T-1, who advised on June 24, 1957, that she had been acquainted with RALPH FENSTERWALD, an uncle of BERNARD FENSTERWALD, Jr., for a period of twenty to thirty years. This informant said that RALPH FENSTERWALD was approximately sixty years of age, is five feet eight inches tall, grey hair, medium complexion, and brown eyes. She stated that he was retired from business; that formerly he was one of the owners of Burk and Company, a clothing store in Nashville.

Informant stated that since FENSTERWALD's retirement he has done nothing except travel and rest at his home in

Nashville between trips. She advised that within the past two years, his sister-in-law, Mrs. BERNARD FENSTERWALD, also known as Mrs. Blanche Fensterwald, and her son, BERNARD FENSTERWALD, Jr., have made a trip to Europe, during which they visited some countries behind the Iron Curtain. She stated she also understands that his daughter, ELAINE FENSTERWALD, has recently left the United States for a trip to Europe and that she plans to visit some of the countries behind the Iron Curtain. Informant stated she feels that RALPH FENSTERWALD will become interested in such a trip, inasmuch as he has always followed the suit of his family, and that probably he and his wife, LUCILLE FENSTERWALD, will be making such a trip in the future.

Informant stated that she knows of no Communist affiliations or sympathies on the part of RALPH FENSTERWALD or any of his relatives, and stated that these trips are strictly tourist or pleasure trips and are not made because of any ulterior motives. She stated that RALPH FENSTERWALD and his wife are very high type people who are extremely well educated and have a high degree of intellectual curiosity. She pointed out that their daughter, ELAINE FENSTERWALD, is an attorney at law in New York City and is regarded as a very intelligent person. She stated the FENSTERWALDs are well off financially and that their travels are designed to satisfy their intellectual curiosity.

On July 11 , 1957, Memphis confidential informant T-1 advised that RALPH FENSTERWALD and his wife were scheduled to leave Nashville, Tennessee, on July 16, 1957, to go on an extended trip to Europe.

Credit and Criminal

Miss BARBARA RYAN, Clerk, Credit Bureau of Nashville, advised SE JOHN D. JONES on March 3, 1959, that Mrs. BLANCHE FENSTERWALD, Clarendon Avenue, RALPH FENSTERWALD and his wife, LUCILLE FENSTERWALD, 402 Elmington Place, and ROBERT DANIEL EISENSTEIN and his wife, ANN FENSTERWALD, 1108 Nichol Lane, all Nashville, Tennessee, have satisfactory credit records in her files. She stated that there is no information

in her files which would reflect adversely on their character, loyalty or associates.

Miss RYAN advised that she was unable to locate any information in her files concerning ELAINE FENSTERWALD.

Mr. JAMES P. GOSSETT, Identification Officer, Davidson County Sheriff's Office, and Mrs. FAY RYMAN, Clerk, Central Records Division, Nashville, Tennessee, Police Department, advised SE JONES on March 3, 1959, that they were unable to locate any information in the files of their respective offices concerning Mrs. BLANCHE FENSTERWALD, ROBERT D. EISENSTEIN, ANN FENSTERWALD EISENSTEIN, RALPH FENSTERWALD, LUCILLE FENSTERWALD, or ELAINE FENSTERWALD.

- RUC -

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Memphis, Tennessee
March 6, 1959

In Reply, Please Refer to
File No.

BERNARD FENSTERWALD, Jr.
SPECIAL INQUIRY;
SENATE JUDICIARY COMMITTEE

Memphis confidential informant T-1 referred to in the report of Special Agent FRANCIS W. NORWOOD dated March 6, 1959, at Memphis, Tennessee, has furnished reliable information in the past.

FD-36 (Rev. 12-13-56)

F B I

Date: 3/6/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59.

Investigation to date does not account for appointee's activity between 9/5/56, when he left State Department, and 1/16/57, when he entered on duty with Senator THOMAS C. HENNINGS, Jr. If existing sources cannot supply this information, WFO will interview FENSTERWALD, UACB. Because of lack of information in this regard, report will not reach Bureau before 3/11/59.

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

77-44206-25

NOT RECORDED

8/5/94 5668 SD/dmj

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office	Office of Origin	Date	Investigative Period
NEW HAVEN	BUREAU	3/7/59	3/6/59

TITLE OF CASE	Report made by	Typed By:
BERNARD FENSTERWALD, JR.	SA SALVATORE F. DUCIBELLA	smj
	CHARACTER OF CASE: SPECIAL INQUIRY - SENATE JUDICIARY COMMITTEE	

Synopsis:

REFERENCE:

Washington Field airtel to New Haven, dated 3/4/59.

- R U C -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 516d8 SLD/dmj

Approved: E. J. M. | Special Agent In Charge

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Copies made:

3-Bureau

1-New Haven (77-3778)

77-44206-36

NOT RECORDED
7 MAR 9 1959

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☆ U. S. GOVERNMENT PRINTING OFFICE: 1955 O—344750

FBI-2 (Rev. 9-23-58)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA SALVATORE F. DUCIBELLA Office: NEW HAVEN
Date: 3/7/59

File Number: NH 77-3778

Title: BERNARD FENSTERWALD, JR.

Character: SPECIAL INQUIRY -
SENATE JUDICIARY COMMITTEE

Synopsis: JACK TATE and CHARLES RUNYON of the Yale Law School, New Haven, Conn., advised that they knew appointee as an Assistant to Legal Adviser, Dept. of State, and have known him socially as personal friends; both highly recommend appointee for intelligence, ability, character, reputation, associations, and unquestioned loyalty.

- R U C -

Details: On March 6, 1959, JACK B. TATE, Associate Dean, School of Law, Yale University, New Haven, Connecticut, advised that he had been Deputy Legal Adviser in the Department of State from 1950 to 1954 when BERNARD FENSTERWALD, JR. was employed as an Assistant to the Legal Adviser. Mr. TATE stated that he was well acquainted with appointee during and since the above period; and observed that appointee had worked under his general supervision and had performed many assignments for him. He added that he has kept in touch with appointee socially since that time. Mr. TATE related that the appointee, he had found, was a man of very high intelligence and ability as a lawyer, that he has kept up his knowledge of the law and written law review articles, that he is a hard worker who gets along well with people and has a pleasant personality. He added that "he is the kind of person I would like to have on my staff."

DATE 8/5/94 5668 SLD/dmw

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Mr. TATE advised that appointee is a fair-minded person of excellent judgment. He stated that appointee has a great interest in world affairs and is a keen student thereof. He noted that after leaving the Department of State in 1956, the appointee studied for a year at Cambridge University in England. He also stated that appointee, out of intellectual curiosity, visited the Soviet Union; that before and after the latter visit, appointee thought "the Communists are lousy."

Mr. TATE stated that appointee's associates have always been persons of high regard in governmental and academic circles, that they and he are persons of excellent character, reputation, and unquestioned loyalty as Americans. Mr. TATE stated he would recommend appointee for a position of high trust and confidence in government service.

On March 6, 1959, CHARLES RUNYON, Assistant Dean, School of Law, Yale University, New Haven, Connecticut, advised that he knew appointee from 1950 to September, 1956, as a fellow Assistant to the Legal Adviser in the Department of State, that they both worked in the office of the Assistant Legal Adviser for United Nations Affairs, and that he knew appointee socially as a close friend since that time. He described appointee as a man of great ability and intelligence, as a capable lawyer who possesses very good judgment and a fine, forthright character and personality.

Mr. RUNYON stated that appointee's associates have been persons of excellent character and reputation, who are highly respected in government and academic life. He stated that appointee possesses a charming personality and gets along well with his colleagues in government service. He noted that appointee possesses great enthusiasm, initiative, imagination, fair mindedness, and the ability to get things done. He stated that appointee is a person of unquestioned loyalty and that he would highly recommend him for a position of trust and confidence.

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-15-2015
D27B81S81

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3/9/59

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) OF _____
DATE _____

AIRTEL

TO: SAC, NEW YORK

FROM: SAC, WFO (77-29779)

CLASS & EXT. BY 638 VEH/lw
REASON FCIM II-2.4.2 2.3
DATE OF REVIEW 7-9-87
8/4/94 5668 SP/dmg
Classified By
Declassify on: OADR
CA#94-0655 HHG

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

ReBuairtels 2/20 and 24/59, no cc's NY.

Chairman, Senate Judiciary Committee, requests investigation of FENSTERWALD, who is employed as counsel of the Subcommittee on Constitutional Amendments. Born 8/2/21, Nashville, Tennessee. Buded 3/9/59.

Reference is also made to NY letter to the Bureau dated 7/1/56 entitled [redacted] (C) (U) **, which advised that** [redacted] **advised that Mrs. BERNARD FENSTERWALD and son were departing the United States on SAS Flight 904 on 6/23/56 for the Soviet Union. This information is not reflected in the appointee's passport record.** (C) (U)

b7D
b7E

WFO will set this information out in report, however, NY furnish Bureau with documentation memo for [redacted] (C) (U)

b7D

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (PRC)
DATE: 1/28/94 5668 SP/dmg

2 - New York
1 - Bureau
1 - WFO
FJH:blb
(4)

CLASSIFIED AND EXTENDED BY SP 2 AP/CG Tel (C)
REASON FOR EXTENSION FCIM, II, 1-2.4.2 2.3
DATE OF REVIEW FOR DECLASSIFICATION 3-9-79 8-21-29

AIRTEL

77-44206-27
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MAR 9 1959

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP (S) ON 3/13/59
DATE

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7-16-82

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-15-2015
D27B81S81

Report Form
FD-263 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

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Reporting Office	Office of Origin	Date	Investigative Period
WASHINGTON FIELD	BUREAU	3/10/59	2/25/59 - 3/9/59

TITLE OF CASE

BERNARD FENSTERWALD, JR.

Report made by [redacted] b6 b7C

Typed By: cpn

CHARACTER OF CASE

SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

CLASS. & EXT. BY 638 [illegible]
REASON-FCIM II, 1-2.4,2
DATE OF REVIEW 7-9-94

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 SCD/dmy

Synopsis:

References: Bureau airtels 2/20/59 and 2/24/59.
St. Louis airtels to WFO 2/27/59 and 3/2/59.

- P -

CLASSIFIED AND EXTENDED BY SP2 T APICG/ml
REASON FOR EXTENSION 2.1.5
FCIM, II, 1-2.4,2
DATE OF REVIEW FOR DECLASSIFICATION 7.10.79
8-21-79

LEAD

WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Will report results of checks at ONI, [redacted] b7E

INFORMANT (U)

WF T-1: Anonymous source. (U)

NY T-1: [redacted] (C) (U) as reflected in NY let to Bureau dated 7/1/56, captioned [redacted] (C) (U) b7D b7E

8/24/94 Classified by 5668 SCD/dmy Declassify on: OADR

Approved JVB Special Agent In Charge

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1 - Washington Field (77-29779)

77-4/4206-28

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25 APR 8 1959

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APPROPRIATE AGENCIES AND [illegible] OFFICES ADVISED BY LETTER SLIP(S) OF 4/28/59 DATE

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DATE 06-15-2015
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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Copy to:

Report of: SA [redacted] Office: Washington, D. C. b6 b7C
Date: 3/10/59

File Number: Washington Field (77-29779)

Title: BERNARD FENSTERWALD, JR.

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.~~

Character: SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Synopsis: Employment at U. S. Senate and Department of State verified and associates recommend. M.A. Degree awarded appointee from School of Advanced International Studies 1950. References recommend. Residences verified and favorable. No additional pertinent information D. C. Credit Bureau, Inc. No record MPD or USPP. Traffic record located Arlington County, Virginia, PD. No additional pertinent information CSC and no record HCUA. Navy record set forth. No additional pertinent information Security Office, Department of State. Appointee admitted to D. C. Bar 6/19/53. No additional pertinent information Committee on Admissions and Grievances. No record Bar Association of D. C. No additional pertinent information OSD. State Department passport information set forth. [redacted] (U) b3 b7E

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC) DATE:

CLASS. & EXT. BY 6383 ~~2 2~~ 2 2 P
REASON-FCIM II, 1-2.4.2 ~~2.3~~
DATE OF REVIEW ~~7-6-94~~

CLASSIFIED AND EXTENDED BY SP2TAR/RGL
REASON FOR EXTENSION FCIM, II, 1-2.4.2 2.3
DATE OF REVIEW FOR DECLASSIFICATION 3.10.79

8/3/94 5668 SLD/dmj

Declassify on: OADR
CA#94-0655 HHG

APPROPRIATE AGENCIES.
[illegible]
DATE 8/28/94

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16—74625-1 GPO

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WFO 77-29779

DETAILS: AT WASHINGTON, D. C.

EMPLOYMENT

U. S. Senate

On February 26, 1959, Mr. JOHN ROBERSON, Clerk, U. S. Senate Disbursing Office, advised SA PAUL E. ERTZINGER that the payroll records reflected that the appointee entered on duty on January 16, 1957, as an Assistant Clerk to U. S. Senator THOMAS C. HENNINGS, JR., and that on April 19, 1957, he was promoted to Administrative Assistant. The record further indicated that on February 1, 1959, the appointee transferred to Chief Counsel, U. S. Senate Subcommittee on Constitutional Amendments, and is currently serving in that capacity.

[redacted] to U. S. Senator THOMAS C. HENNINGS, JR., advised SA ERTZINGER on March 5, 1959, that Senator HENNINGS has been unavailable due to an illness during the preceding week and did not know when he would be able to return to his office. [redacted] contacted Senator HENNINGS and advised SA ERTZINGER that the Senator had authorized him to state that he had known the appointee when the appointee was with the Department of State and had always had the highest regard and praise for him. He added that he knew nothing at all unfavorable concerning the appointee's character, associates, reputation and loyalty and added that he would recommend him most favorably for a sensitive position with the Government. b6 b7C

[redacted] also advised that he has known the appointee since July, 1957, and worked as his assistant until the appointee left Senator HENNING's office. He concluded that in addition to this professional contact he has known him well socially and described the appointee's character, associates, reputation and loyalty as being above any question and his work as most competent and satisfactory. He stated that he would recommend the appointee most favorably for a sensitive position with the Government. b6 b7C

On March 6, 1959, [redacted] Staff of U. S. Senator HENNINGS, advised that she has known the appointee professionally and furnished substantially the same information as [redacted], and recommended the appointee b6 b7C

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for a sensitive position with the Government. [redacted] also stated that from September, 1956, to January, 1957, the appointee assisted Senator ESTES KEFAUVER in his political campaign. b6 b7C

On the same date, [redacted], [redacted] to Senator KEFAUVER, verified the fact that the appointee had worked on the Senator's political campaign from September, 1956, to January, 1957. She stated that he contributed his time and efforts and was not on the Senator's or the Senate payroll. [redacted] said his work had been very satisfactory, that his character, associates, reputation and loyalty were above question, and that she would have no hesitation in recommending him for a sensitive position with the Government. b6 b7C

Department of State

On February 26, 1959, SE [redacted] caused the personnel records, Department of State, to be searched concerning the appointee and the records did not reflect any additional pertinent information. b6 b7C

On March 3, 1959, SA OLIVER B. JONES conducted the following investigation at the Department of State:

Mr. LEONARD C. MEEKER, Assistant Legal Adviser for United Nations, stated he has known the appointee since about the Summer of 1951 having met him as a fellow employee of their group. He related that Mr. FENSTERWALD was under his immediate supervision for the most part until the appointee left the Department of State in 1956. Mr. MEEKER advised further that he found Mr. FENSTERWALD to be a very competent attorney, sincere, discreet and trustworthy. He added that he has had some social contact with the appointee having visited in his home on two or three occasions where he met his wife and son, about seven or eight years old. Mr. MEEKER stated he consider the appointee to be a person of fine character, high integrity and completely loyal to the U. S. Government. He related further he is aware of nothing adversely concerning the appointee and would recommend him unreservedly for a position of utmost trust and confidence.

[redacted], Department of State, stated he met Mr. FENSTERWALD around 1950 professiona... b6 b7C

as a fellow employee in the Department of State. He related that the appointee was held in high respect by his associates in the Department and considered him to be one of the ablest men in their legal office. [redacted] stated he was acquainted with Mr. FENSTERWALD in a slight social way through functions of the Department and had met his wife. He further advised that he found the appointee to possess good judgment and to be completely honest and discreet. [redacted] related that to the best of his knowledge Mr. FENSTERWALD is completely loyal to the United States and was aware of nothing adversely concerning him. He added he would gladly recommend Mr. FENSTERWALD for a position of trust and confidence. [redacted] related that since the appointee left the Department of State he has seen him occasionally on a visit to their office. He added that Mrs. FENSTERWALD impressed him as being a stable and respectable woman.

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Mr. RAYMOND T. YINGLING, Assistant Legal Adviser for Special Functional Problems, stated he was acquainted with the appointee during most of FENSTERWALD's employment in their Department. He related during this period he had some business contacts with Mr. FENSTERWALD where both had mutual interest in certain problems. Mr. YINGLING advised that the appointee impressed him as being a bright young man with good legal talent. He further advised he could speak only favorably concerning the appointee's character, reputation, personal integrity and loyalty to the U. S. Mr. YINGLING further stated he would have no hesitation in recommending Mr. FENSTERWALD for a trustworthy and confidential position.

[redacted], stated he became officially acquainted with Mr. FENSTERWALD shortly after the latter became appointed to the Department of State in 1950. He advised that he worked directly with the appointee in connection with the Bricker Admendments and in this regard found him to be a very able and competent attorney. [redacted] related he had a limited social contact with the appointee at certain office functions and on such occasions had a chance to meet his wife. He further advised that he regards Mr. FENSTERWALD as a man of sterling character and reputation and completely loyal to the U. S. and its government. [redacted] stated he knows of nothing detrimental concerning the appointee or his wife and would have no hesitation in endorsing him for a position of utmost confidence.

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Mr. BENEDICT M. ENGLISH, Legal Adviser for International Claims, advised he was officially acquainted with the appointee during the latter's employment in the Department of State and for a period of about nine months or more during 1953-1954 when he (ENGLISH) was Acting Deputy Legal Adviser for the Department, maintained a close working contact with Mr. FENSTERWALD. He stated that the appointee impressed him as being a very competent individual with ability and good judgment. Mr. ENGLISH stated Mr. FENSTERWALD exhibited good character traits and that his legal and moral conduct in the office was excellent. He added that he was aware of nothing unfavorable concerning the appointee and would not hesitate to recommend him for a position of trust and confidence.

EDUCATION

On February 27, 1959, Mrs. J. FLYNN, Secretary to the Dean, School of Advanced International Studies, made available the appointee's record which reflected that he entered that school on January 29, 1946, and was awarded a Master of Arts Degree on June 3, 1950. The record was satisfactory and no additional pertinent information was noted. Mrs. FLYNN advised that due to the lapse of time, no one associated with the school would recall the appointee.

REFERENCES

On March 3, 1959, ADRIAN FISHER, General Counsel and Vice President, Washington Post and Times Herald, advised SA ERTZINGER that he has known the appointee since 1950. He stated he personally hired the appointee at the Department of State in 1950 and was his superior there for two years. He said he also knew the appointee's family in Nashville, Tennessee, through his wife (Mrs. FISHER). He described the appointee's character, reputation, associates, and loyalty as all being good. He said the appointee is a very capable person and entirely loyal. He indicated he would rehire the appointee if he had the opportunity and would recommend him most favorably.

U. S. Senator ESTES KEFAUVER advised SA ERTZINGER on February 27, 1959, that he has known the appointee approximately eight years; first in connection with his duties at the Department of State, and later through his work on the Bricker Amendment in Senator HENNING's office.

He described him as a bright and able young man whose character, associates, reputation and loyalty were satisfactory in every respect. He stated he has recommended him for his present position and would not hesitate to recommend him for any sensitive position with the Government.

On March 6, 1959, Dr. HALFORD E. HOSKINS, formerly associated with the School of Advanced International Studies, who was listed by the appointee as a reference in 1949, advised SA ERTZINGER that he is unable to recall the appointee although he probably had been one of his students. He added he was certain there was nothing unfavorable concerning the appointee or he would have had a better recollection of him.

Numerous and repeated efforts to contact Mr. MILTON STARR, listed as a reference by the appointee in 1949, were met with negative results.

RESIDENCE

On February 26, 1959, [redacted] Arlington, Virginia, advised SA [redacted] that she has resided there eight years and that the appointee and his wife moved into their home at 851 North Lexington Street, Arlington, Virginia, seven years ago. She stated that in addition to the appointee his family consisted of his wife and eight year old son, [redacted], continued that she regarded the appointee and his family as wonderful neighbors and vouched for their character, associates, reputation and loyalty. She further pointed out she would have no hesitation in recommending the appointee for a sensitive position with the Government. b6 b7C

[redacted] also advised that the appointee and his family resided in England for approximately one year while the appointee was attending a university there. b6 b7C

On February 27, 1959, [redacted] Arlington, Virginia, located the appointee's house, advised SA [redacted] she has known the appointee and his family as friends and neighbors for six and one-half years. [redacted], Arlington, Virginia, advised SA [redacted] on the same date that she has known the appointee b6 b7C

and his family for four years. Both [redacted] and [redacted] furnished substantially the same information as [redacted] and also recommended the appointee for a sensitive position with the Government. b6 b7C

CREDIT AND POLICE AGENCIES

The records of the D. C. Credit Bureau, Incorporated, Washington, D. C., as reviewed on February 26, 1959, by SE [redacted] did not reflect any additional pertinent information concerning the appointee or his wife, ELIZABETH FENSTERWALD. b6 b7C

No record was located concerning the appointee or his wife in the files of the Metropolitan Police Department as reviewed on February 26 and March 2, 1959, by SE [redacted]; at all times an indefinite number of unidentified records are out of file and not available for review. b6 b7C

The records of the U. S. Park Police, as caused to be searched on February 26 and March 2, 1959, by IC [redacted] did not reflect any information concerning the appointee or his wife. b6 b7C

The records of the Arlington County, Virginia, Police Department, as caused to be searched on March 2, 1959, by SE [redacted] did not reflect any information concerning the appointee's wife. A record was located for one BERNARD FENSTERWALD, JR., 851 North Lexington Street, Arlington, Virginia, reflecting that on January 20, 1952, he was cited for traveling 45 miles per hour in a 25 miles per hour zone for which he was assessed fine and costs of $10. b6 b7C

MISCELLANEOUS

The records of the Investigations Division, Civil Service, Commission, as reviewed on March 2, 1959, did not reflect any additional pertinent information concerning the appointee.

No record was located concerning the appointee in the files of the House Committee on Un-American Activities, reviewed on February 26, 1959, by IC [redacted] b6 b7C

On February 26, 1959, SE [redacted] reviewed the U. S. Navy Officer Record of BERNARD FENSTERWALD, JR., which reflected that on January 1, 1951, he was transferred b6 b7C

to the U. S. Naval Reserve Officer Inactive-Status List as a Lieutenant. As of November 12, 1954, the record reflects he was married and had one child, name not shown. As of January 29, 1958, he was a Lieutenant in the U. S. Naval Reserve on the Officer Inactive Status List.

No additional efficiency reports were contained in the record since last reviewed. No additional pertinent information was contained in the record.

The investigative file, maintained by the Security Office, Department of State, concerning the appointee, reviewed on March 3, 1959, did not reflect any additional pertinent information.

On February 26, 1959, Mrs. RUTH DUFFEY, Lawyers' Register, U. S. District Court for the District of Columbia, advised that her records reflected the appointee was admitted on June 19, 1953. No additional pertinent information was available.

No additional pertinent information was located in the records of the Committee on Admissions and Grievances, U. S. District Court for the District of Columbia, as reviewed on February 26, 1959.

On February 27, 1959, Miss JANE WHEATLEY, Secretary, Bar Association for Washington, D. C., advised she could locate no record concerning the appointee.

Mr. D. J. HENSLEY, Office of Security Service, Office of the Secretary of Defense, made available to SA EDGAR L. CARTER on March 5, 1959, a file relating to the appointee which contained a memorandum dated August 30, 1957, reflecting that the appointee was to be an official U. S. Government Observer at the "GIRARD Trial" in Japan. Mr. HENSLEY advised that the appointee was issued a secret clearance by the Office of the Secretary of Defense on August 20, 1957. No additional pertinent information was contained in the file and the appointee was never employed by the Office of the Secretary of Defense.

The files of the Passport Office, Department of State, reviewed on March 6, 1959, by SE [redacted] reflected that BERNARD FENSTERWALD, JR., was issued Passport #73365 on May 14, 1946, for proposed six months travel to Mexico, Guatemala, Nicaragua, Honduras and Costa Rica. A

b6
b7C

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photostatic copy of a birth certificate in the files substantiated the birth data given.

He was issued Passport #451152 on August 4, 1954, for a proposed two years travel to England and trips to various countries in Western Europe. The purpose of his trip was listed as "Education at University of Cambridge and possible tours of duty on orders of Legal Adviser of Department of State on leave of absence."

He was issued Special Passport #133454 on August 14, 1957, for proposed two weeks travel to Japan as an official U. S. Government observer at the GIRARD trial.

On August 13, 1958, he was issued Passport #1186011 for proposed six weeks pleasure travel to Ireland, Wales, England, and France.

There is a notation in the files that he was included on a passport issued to his father in approximately 1936; however, this applicant was not located.

No additional pertinent information was contained in the files.

WF T-1 advised on February 21, 1956, that [redacted] b3 b7E (U)

NY T-1 advised that Mrs. BERNARD FENSTERWALD and son were departing the United States on Scandinavian Airlines System Flight 904 on June 23, 1956, for the Soviet Union. (U)

CONFIDENTIAL

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 77-29779

WASHINGTON 25, D. C.
March 10, 1959

BERNARD FENSTERWALD, JR.
SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

WF T-1, mentioned in the report of Special Agent [redacted], dated and captioned as above, has furnished reliable information in the past. b6 b7C

This memorandum is loaned to you by the Federal Bureau of Investigation and neither it nor its contents are to be distributed outside the agency to which loaned.

(25-58)

DECODED COPY

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

[XX] Radio [ ] Teletype

DEFERRED 3-10-59

TO DIRECTOR AND SAC, WASHINGTON FIELD

FROM SAC, BOSTON 101420

BERNARD FENSTERWALD JR, SPI. RE ST. LOUIS AIRTEL TO WFO MARCH 2 LAST. BUDED MARCH 9 NEXT. SECRETARY TO DR. WILLIAM Y. ELLIOTT, HARVARD UNIVERSITY, REQUESTED THAT BY REASON OF HEAVY SCHEDULE AND TRAVEL STATUS, THAT DR. ELLIOTT BE CONTACTED AT HIS OFFICE, ROOM 5150, NEW STATE DEPARTMENT BLDG., WASHINGTON, D.C., WHERE HE WILL BE MARCH 12 AND 13 NEXT. WFO HANDLE. RUC.

RECEIVED: 10:01 AM RADIO

10:27 AM CODING UNIT HL

2 - CC WASHINGTON FIELD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668-SLD/dmj

NOT RECORDED
174 APR 7 1959

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

FD-36 (Rev. 12-13-56)

FBI

Date: 3/12/59

Transmit the following in _____ (Type in plain text or code) CONFIDENTIAL

Via AIRTEL _____ (Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (77-24472)

SUBJECT: BERNARD FENSTERWALD, JR.
SPI
Senate Judiciary Committee
Buded 3/9/59

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE 8/8/94 BY 5668 SD/ch CA# 94-0655 HHG (see drif form)

Re WFO airtel to NY, 3/9/59.

Above airtel referred to NY let to Bureau dated 7/1/56 entitled [redacted] which contained information furnished by [redacted]. Referenced airtel reflected that WFO would set forth information furnished by [redacted] and requested that NY furnish Bureau with documentation memo for [redacted]. (C) U

b7D
b7E

It is to be noted that [redacted] is current informant of NYO who has furnished reliable information in the past. He was not personally acquainted with the FENSTERWALDS and could furnish no additional information regarding them. C U

b7D

NYO unable to submit letterhead memorandum in this matter setting forth fact that informant has furnished reliable information in the past, inasmuch as WFO did not indicate what T symbol they were using in their report.

No further action being taken in this matter by NYO and no report being submitted. RUC

77-4/206-31

NOT RECORDED
3 MAR 13 1959

3-Bureau
1-WFO (77-29779)(Info)
1-New York (77-24472)

(6)
AWW:ahd

CLASSIFIED AND EXTENDED BY SP2TAP/ICG 1st
REASON FOR EXTENSION 2.1.3
FCIM, II, 1.2.4.
DATE OF REVIEW FOR DECLASSIFICATION 3-12-79
8-21-79

7-16-82

APPROPRIATE AGENCIES
FIELD OFFICES
NOTIFIED BY ROUTING
SLIP(S) OF
DATE

Approved: _____ Special Agent in Charge

Sent CONFIDENTIAL M Per _____

FD-36 (Rev. 12-13-56)

FBI

Date: 3/13/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPI
SENATE JUDICIARY COMMITTEE

Re report SA [redacted] dated 3/10/59, Boston radiogram to Bureau 3/10/59, and my airtel 3/11/59. b6 b7C

On 3/12/59, Dr. WILLIAM Y. ELLIOTT, Consultant, Office of the Under Secretary, Department of State, advised SA JOSEPH J. SPEICHER that he had known the appointee's family in Nashville, Tennessee, for many years, but that he had had very little personal contact with, or knowledge of, the appointee himself. He stated that beyond saying that the appointee came from a fine background and seemed to properly reflect that background, he could not comment further concerning him, since he knew him so slightly on a personal basis.

Lead for ONI still outstanding.

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

8/5/94 .. 5660 SLD/dmj 77-44706-32

NOT RECORDED

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FD-36 (Rev. 12-13-56)

F B I

Date: 3/17/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, JR.
SPECIAL INQUIRY
SENATE JUDICIARY COMMITTEE

Re report SA [redacted], 3/10/59, and my airtel 3/11/59. b6 b7C

No additional pertinent information ONI as caused to be checked 3/16/59 by SE [redacted] RUC. b6 b7C

3 - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 5668 SLD/dmj

77-44206-33
NOT RECORDED
23 MAR 17 1959

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

[redacted]

Agree 5668 SD/dmj 8/5/94
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-21-99 BY SP-2 AP/C Clk

March 20, 1959

BY COURIER SERVICE

[redacted]

Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C.

My dear Mr. Chairman:

In accordance with the request contained in your letter dated February 18, 1959, an investigation has been conducted by this Bureau concerning Bernard Fensterwald, Jr.

There is enclosed for your information a summary memorandum pertaining to Mr. Fensterwald.

An applicant-type investigation concerning Mr. Fensterwald was conducted by this Bureau in 1949. The information set forth in the enclosed summary memorandum was obtained during the 1949 investigation and during the current inquiries.

During the current investigation of Mr. Fensterwald the files of one governmental agency* were temporarily unavailable for review. When these files are available and have been reviewed, you will be advised of any pertinent information located.

REC-9 77-44206 BJI

Please be advised that the investigations of Mr. Fensterwald covered inquiries concerning his character, loyalty and general standing, but no inquiries were made concerning the sources of his income.

25 APR 8 1959

Sincerely yours,

[redacted]

BY COURIER SVC
MAR 20 3
COMM-FBI

REC'D-READING ROOM
MAR 20 11 14 AM 59

Enclosure

* ONI

PFT:bhg:fjj
(6)

See Note Page Two.

[redacted] SEE REVERSE SIDE FOR ADD. DISSEMINATION

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy
DeLoach
McGuire

MAIL ROOM ☐ TELETYPE UNIT ☐ FBI

NOTE:

Request received 2/20/59, by letter dated 2/18/59, from Senator Eastland to investigate Fensterwald, who is Chief Counsel, Senate Subcommittee on Constitutional Amendments. Fensterwald investigated in 1949 as Departmental applicant, attorney, Antitrust Division. That investigation as well as current inquiries highly favorable.

Fensterwald's mother and sister reportedly attended a meeting in 1942, Nashville, Tennessee, of the Southern Conference for Human Welfare, a cited organization. However, reliable sources have advised many prominent individuals attended this meeting because of its proposed purposes and due to the fact Mrs. Eleanor Roosevelt was to speak. Fensterwald and his mother took a trip to the Soviet Union in 1956; however, this trip reportedly made to satisfy intellectual curosity of Fensterwald and his mother. All persons contacted during both investigations highly recommended Fensterwald as a competent attorney and a loyal American. They described all the members of his family as loyal Americans as well.

Copy of summary being sent to Senator Eastland only as this does not involve a Presidential appointment.

April 2, 1959

BY COURIER SERVICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

Honorable James O. Eastland
Chairman
Committee on the Judiciary
United States Senate
Washington, D. C.

My dear Mr. Chairman:

Reference is made to my letter dated March 20, 1959, enclosing a summary memorandum pertaining to Mr. Bernard Fensterwald, Jr.

Please be advised that the files of the Office of Naval Intelligence have now been reviewed and no pertinent identifiable information with reference to Mr. Fensterwald was located.

This concludes the investigation of Mr. Fensterwald.

Sincerely yours,

J. EDGAR HOOVER

BY COURIER SVC.
13 APR 2
COMM-FBI

REC- 44

EX-135

77-44206-35

APR 8 1959

Tolson
Boardman
Belmont
Mohr
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Parsons
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Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy
DeLoach

66 APR 16 1959

PFT:bap
(6)

MAIL ROOM ☐ TELETYPE UNIT ☐

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Evans

DATE: October 27, 1964

FROM : T. J. McAndrews

DECLASSIFIED BY 5668 SLD/dmj
ON 8/5/94

SUBJECT: BERNARD FENSTERWALD, JR.
CHIEF COUNSEL
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURES (LONG COMMITTEE)
SENATE JUDICIARY COMMITTEE

The captioned individual is Chief Counsel of the Senate Subcommittee on Administrative Practice and Procedures, which is headed by Senator Edward V. Long (Democrat - Missouri). This Subcommittee is currently conducting an inquiry into the extent of wire tapping being practiced by agencies and departments of the Government.

Over the past weekend, I had occasion to be with [redacted] who furnished the following information on an extremely confidential basis. [redacted]

b6
b7C
b7D

[redacted]

b6
b7C
b7D

Enc. (1) ENCLOSURE

1 - Mr. Belmont
1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Mohr
1 - Mr. Conrad
1 - Mr. Evans
1 - Mr. McAndrews
McA:rap (9)

REC-47 EX-100 77-44206-36

3 NOV 4 1964

CLASSIFIED AND EXTENDED BY 5668 SLD/APC/dmj
REASON FOR EXTENSION FCIM, II, 1-2.4.2 2-3 [redacted]
DATE OF REVIEW FOR DECLASSIFICATION 10-27-74 8-21-75

Memorandum to Mr. Evans
Re: Bernard Fensterwald, Jr.

[redacted]

b6
b7C
b7D

Background Concerning Bernard Fensterwald, Jr.

For your information there is attached a summary prepared concerning applicant-type investigations conducted by the Bureau on Fensterwald in 1949 and 1959. While generally favorable, this summary does indicate that the names of Mr. Fensterwald's mother and sister appeared on a list of delegates and members of the Southern Conference for Human Welfare (a cited organization) at a meeting held from April 19 through 21, 1942, in Nashville, Tennessee. Inquiry revealed that many leading citizens of Nashville had been approached concerning this meeting, which was to be addressed by Mrs. Eleanor Roosevelt, and that many people attended the meeting for that reason alone.

Fensterwald and his mother travelled to the Soviet Union on June 23, 1956, for a three-week vacation visit, which was to cover Moscow, Stalingrad, Rostov, Kiev and Leningrad. At that time Fensterwald was employed as a lawyer by the U. S. Department of State.

In a memorandum dated May 28, 1953, information was set forth indicating that Fensterwald, then employed by the Senate Subcommittee on Constitutional Rights (Henning Committee), was involved in a request to the Bureau from this Subcommittee for a list of instances wherein we had furnished information to members of Congress. Former Assistant to the Director Nichols talked to Senator Henning in Fensterwald's presence, and Senator Henning advised that Fensterwald's request to the Bureau had been improper and the Senator offered his apologies. It was reported that Fensterwald since that occasion had gone out of his way to be helpful to the Bureau. A notation by former Inspector Gordon Neese on this memorandum, "The worm seems to have turned," prompted the Director to note "Either that or he fooled Nichols. H."

Fensterwald was born August 2, 1921, in Nashville, Tennessee; has a Bachelor of Science and Bachelor of Law degree from Harvard University and has studied at the School of Advanced International Studies, Washington, D. C., and at Cambridge University, Cambridge, England. During World War II he served as a lieutenant in the U. S. Navy and has been employed since then as an attorney for the Department of State and as Administrative Assistant and Chief Counsel to U. S. Senate Subcommittee on Constitutional Amendments and his present position with the Senate Subcommittee on Administrative Practice and Procedures.

[redacted]

Memorandum to Mr. Evans
Re: Bernard Fensterwald, Jr.

It is noted that in August, 1964, Fensterwald obtained Senator Eastland's approval for the distribution of an 11-page questionnaire relating to invasions of privacy. This questionnaire was designed to seek information from Government agencies concerning invasions of privacy by use of the telephone system, electronic devices, photographic equipment, polygraph equipment, mail covers, one-way glass and related matters. This inquiry is being handled by a subcommittee of the Senate Judiciary Committee of which Senator Eastland is Chairman.

Mr. DeLoach discussed this matter with Senator Eastland at the time the questionnaire was being prepared for distribution and ascertained from Senator Eastland that the Bureau was specifically exempt from this inquiry. In addition, Senator Eastland pointed out that he is in full control of the activities of the Senate subcommittee and that all actions of this subcommittee would necessarily have to be approved by him. As a result, he was able to give his assurances that the Bureau would not become involved in this inquiry.

ACTION

[redacted] will keep the Bureau currently informed of all pertinent developments concerning [redacted], and should the Bureau desire to make any suggestions in this regard, he will be most receptive to them. b6 b7C b7D

The Crime Records Division, which is cognizant of the Subcommittee's investigations, should be alert to any information indicating that the inquiry of the Subcommittee on Administrative Practice and Procedures is to be expanded and pointed at the FBI.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. DeLoach

DATE: 12-20-65

FROM : M. A. Jones

SUBJECT: "THE NATION" MAGAZINE
ARTICLE CONCERNING SENATE
COMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE
SENATOR EDWARD V. LONG (D - MO.)
CHAIRMAN, 12-20-65

The December 20, 1965, issue of "The Nation" magazine contains an article by Fred J. Cook entitled "Snoopers and Tappers--Law-Enforcement Underground" (attached).

This article is typical of the writings of Fred J. Cook and takes to task the Internal Revenue Service and the Post Office Department. He also refers to the testimony taken by Senator Long's Committee in Kansas City, Missouri, implicating the FBI in wire tapping in connection with gambling activities. He pointed out that although the Director of the FBI has insisted for years that it taps only in national security cases and then only on instructions from the Attorney General, it was revealed that the FBI had been tapping all over Kansas City in its drive on gamblers.

It is quite apparent from the article that Chief Counsel Bernard Fensterwald, Jr., of the Committee furnished Cook information for his article. Fensterwald is quoted several times in the article and his statements are typical of the utterances which he has made during the life of this Committee and certainly do no service to the United States. On one occasion, he is quoted as saying, "The thing that has impressed me most is the ease with which federal agents can lie under oath."

The article is typical of the material published in "The Nation" magazine and is nothing more than another attempt on the part of Fensterwald to degrade Federal law enforcement and gain publicity for himself. The character of Fensterwald certainly matches the character of "The Nation" magazine.

RECOMMENDATION: For information

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLB/dmg

Enclosure
1 - Mr. DeLoach
1 - Mr. Gale
1 - Mr. Rosen
1 - Mr. Sullivan

57 JAN 18 1966

77-44206-37

NOT RECO

TBC:smg (7)

Snoopers & Tappers

Law-Enforcement Underground . . . Fred J. Cook

In the office of Bernard Fensterwald, Jr., chief counsel for Sen. Edward V. Long's investigation into the invasion of privacy, there hangs a framed placard that was discovered by committee field men in the Bell Telephone Laboratories in New Jersey. On the left-hand side of this expressive poster there is the large replica of a telephone with dangling receiver (it has obviously just been lifted off the hook), and alongside runs this large-type injunction:

"Remember . . .
NO CLASSIFIED CONVERSATIONS."

When Bell Telephone finds it necessary to advise its employees to beware of its own most hallowed device, Big Brother has indeed moved into our lives. Just how various and unprincipled is that invasion Senator Long's investigation is steadily documenting. It is uncovering a world dedicated to the proposition that power provides its own justification.

Devotion to the theology of power is producing many weird manifestations. Fensterwald and Senator Long were shocked when the Secretary of the Treasury refused to let them question certain Internal Revenue agents. For the first time in history, as far as Fensterwald could determine, it became necessary for a Congressional committee to subpoena federal agents to get them to testify — and even then testimony at times flew in the face of truth. Almost every phase of the investigation has been marked by the obvious determination of government employees on the witness stand to uphold departmental policy and deeds at any cost. "The thing that has impressed me most," says Fensterwald, "is the ease with which federal agents can lie under oath."

The imperviousness of agents to any consideration except the demands made upon them by their bureaucratic superiors runs like a police-state theme song through the testimony of witness after witness. Senator Long points out that many revenue agents got permission, and sometimes the help of specialists, to install wire taps on the phones of suspects from the office of the deputy chief of Intelligence in the Internal Revenue Service.

Yet the deputy chief's records gave no indication of such activity. Asked why, the deputy chief replied, "if I had kept a record for any of my superiors, if I had asked them, they would have said, 'You know the regulations, *anybody who does this is on his own.*'" The deputy chief explained that his superiors knew the wire tapping was going on, that they even discussed it from time to time, "particularly when we got caught." Describing this testimony in *The Saturday Evening Post*, Senator Long commented: "What a remarkable code of conduct for 'devoted and courageous' law-enforcement officers —*go ahead and break the law, but don't get caught!*"

The police-state mentality that infects so many federal agents showed perhaps most clearly in the committee's Miami hearings. Questioning an IRS agent, Senator Long asked whether he would break a state law if ordered to do so by his superiors. Without hesitation, the agent answered, "Yes, sir." Didn't he realize, Long wanted to know, that the essence of a police state was for an officer to violate the law on the pretext of enforcing it? "That may be the basis of a police state; I do not know," the agent answered—and it was obvious to Senator Long that he didn't care. All that mattered was that his orders should be carried out.

This "super gung-ho attitude," as Fensterwald calls it, produces results with shocking overtones. In one Boston case, Jack Harris, an Internal Revenue Service undercover man, was indicted in a $1,500 bribery case and suspended. Enraged by what he claimed was a frame-up, he came to the committee and spilled a lot of details about investigations carried out by the Boston IRS office. His principal tale dealt with surveillance of one Bernard McGarry, a Milton, Mass., tavern owner.

As Harris later testified before the committee, McGarry had a hostile neighbor who made his barn available to the revenue sleuths. The agents set up a lookout station in the barn loft, and with snooper-

Fred J. Cook is the author of many important special articles for The Nation.

DECLASSIFIED BY INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

THE NATION MAGAZINE
DECEMBER 20, 1965
Page 496

ENCLOSURE

scopes and other long-range devices kept, the McGarry home under constant observation. According to Harris, they even watched Mrs. McGarry as she took a sun bath. The IRS agents had learned that the McGarrys had a large vault in the basement; and when they saw from the barn loft that the whole family was absent, Harris entered the house and padded downstairs to the vault.

Instead of a cache of illicit loot which the revenue boys had hoped to find, Harris discovered that the vault was unlocked and was being used for nothing more nefarious than the storage of the family's coats and fur pieces. He dutifully copied down the names of the clothiers and furriers on the labels and left the premises little wiser than he came.

He had, of course, fractured the law by this unauthorized entry into what is supposed to be a man's castle, and his account of the exploit threw IRS into a tizzy. Harris' boss at the time, Robert Ferrick, acknowledged that the McGarry home had been kept under observation from the barn loft—but only, he insisted, to read the license numbers of cars coming to the house, not to observe a lady sun-bathing. There had never, never been such an episode as the illegal entry and snooping Harris had described.

This was a head-on collision of testimony, and the committee never could determine the truth though there were some indications as to where it might lie. "There was one part of the undercover man's story that seemed to check out," Fensterwald says. "We learned that IRS had contacted the furriers and clothiers whose names appeared on the labels in an attempt to find out how much the McGarry family spent for clothing. And then there was one other thing. . . ." To wit:

Harris, in his testimony, had told the committee that, when he entered the McGarry home, another IRS agent had been stationed outside, patrolling the street in a radio car and keeping in constant two-way contact to guard against a surprise return home by the family. Fensterwald promptly demanded that the IRS produce this witness, John Crowe. The next day, the service complied, but Fensterwald was shocked by the appearance of the man when he was summoned to the stand.

"His face was flushed as if the blood was about to pop through the skin," Fensterwald recalls. "And as he testified, his head kept lolling back as if he was about to pass out on the witness stand. I made up my mind to get him off the stand as quickly as possible and so I asked him only the most essential questions."

Under these circumstances, Crowe promptly upheld his supervisor, Ferrick. Harris had been wrong, he said. No revenue agent had ever entered the McGarry home. Fensterwald was about to excuse this obviously ill witness when he received an anonymous note from the audience: "Ask him if he's under house arrest."

Fensterwald shakes his head at the recollection. "Well, one thing I've learned in this investigation," he says, "is not to disregard such tips—too many of them have panned out." So he turned back to the witness stand and demanded: "Are you under house arrest?" Crowe sat there silent, obviously stunned by the question.

"He was mute for a good half minute," Fensterwald recalls, "then he shook his head and muttered weakly, 'No, I wouldn't say so.' His manner clearly swore at the answer he gave and convinced me that he *was* under house arrest."

Not daring to cross-examine Crowe the way he would a healthy witness, Fensterwald excused him, but he determined to delve into this new aspect of the case. "We learned," he says, "that this man had been flown down to Washington under guard; he had been kept under guard in his hotel room; he had been conducted to the hearing under guard by a man who denied he was armed, but who exhibited a mighty suspicious bulge under his jacket."

After the hearing, Crowe tried on a couple of occasions to approach some of Fensterwald's investigators. "But he could never get the chance," Fensterwald says. "Every time he approached one of our people, the guard came up and broke it off."

Fensterwald protested to IRS about forcing a man so obviously ill to take the witness stand; he made it clear he wouldn't have called Crowe if he had known about his precarious physical condition. Oh, think nothing of it, IRS replied; Crowe wasn't seriously ill, he just had a little upset stomach. A few weeks later, Crowe died of a heart attack.

Everywhere Senator Long's committee has turned, it has come across the dinosaur tracks of Big Brother. Invasions of privacy, it has established, are legion and permit the average American almost no security of thought or communication. But to get the truth about such snooping and prying has often proved infinitely difficult. Take, for example, the behavior of the Post Office Department.

The committee was greatly interested in the process known as the "mail cover." Under the buddy-buddy system that exists among federal agencies, the Federal Bureau of Investigation or the Internal Revenue or any one of a half dozen other bureaus may ask the Post Office to keep watch on the mail of a suspect or of his family and associates, and the request will be honored on the supposition that the purpose, considering the source, is valid. In theory, the Post Office makes a record only of what appears on the *outside* of letters—details like the names and addresses of correspondents and the origin of the mail. Fugitives from justice are sometimes tracked in this way when they try to get in touch with relatives, and in such cases legitimate ends may be served. But even then, according to stated policy, the contents of the envelope are kept inviolate.

This picture of a scrupulous department zealously guarding our rights while it indulges in only the most necessary snooping against persons involved in actual crimes was fed to the committee on February 23, 1965, the day after George Washington's birthday, by Chief Postal Inspector Henry B. Montague. "The seal on a first-class piece of mail is sacred," Montague intoned in a carefully prepared statement. "When a person puts first-class postage on a piece of mail and seals it, he can be sure that the contents of that piece of mail are secure against illegal search and seizure. The only time first-class mail may be opened *in the postal service* is when it can neither be delivered as addressed nor returned to sender. Then, it is treated by trusted employees in the dead-letter office to determine whether it contains any information to establish ownership. . . . *Mail is neither delayed nor opened.* . . . Citizens must have confidence in their mail system or they lose it in other governmental institutions." (Italics added.)

Montague acknowledged that the postal form on which the details of the mail cover were recorded was to be destroyed after the deed was done, but he saw nothing wrong in that. Surveillance is a very secretive business, and you just naturally don't leave anything lying around that might indicate to the object of your attention that he has been watched. Fensterwald noted that the form also contained space for recording detail on second-, third- and fourth-class mail, all types that can be appropriately opened for postal inspection, and wondered if perhaps inspectors ever pried into such envelopes.

FENSTERWALD: *In the case of a mail cover do you ever examine mail which you legally have the right to examine?*

MONTAGUE: *No.*

FENSTERWALD: *You have every right to open second-, third- or fourth-class mail, don't you?*

MONTAGUE: *That is for postal inspection, yes.*

FENSTERWALD: *And never, in connection with a mail cover, do you open such mail?*

MONTAGUE: *Not in connection with a mail cover, no.*

The committee was suspicious, but on March 1, Postmaster General John A. Gronouski wrote Senator Long explicitly: "The mail is neither delayed nor opened, and the contents of first-class mail are *not* examined in connection with a mail cover." The Postmaster General italicized that "not."

By April 13, these positive and explicit assurances from the highest Post Office officials had acquired a decidedly tarnished look. On that date, Rep. Durward G. Hall, of Missouri, appeared before the committee and testified that first-class mail was indeed being opened. He had received a complaint from a constituent, the Congressman said; and though he couldn't believe it, he knew the complainant as a responsible individual. So he checked with both the Post Office Department and Internal Revenue. He was assured at first, as the committee had been assured, that no such thing could ever happen. Pinning the departments down to the one specific case, the Congressman asked them to put their denials in writing—and suddenly he encountered a strange shyness toward the printed word. It developed that there was, indeed, a procedure by which the sanctity of first-class mail was being violated. In cases where Internal Revenue had secured tax liens against defaulting taxpayers, first-class mail was being delivered by the Post Office to IRS and was being opened by IRS agents to see whether it contained assets or clues to assets. Just how widespread was this practice? Representative Hall discovered that no one seemed really to know. He testified:

The Post Office Department advises me that since December of 1962 there have been fourteen such seizures. The Internal Revenue Commissioner, on the other hand, advised me on Friday of last week that there had been thirty seizures since December of 1962 as far as their national office knows. . . . Nor is this the only conflict. Once the hand is caught in the cookie jar, the contradictions multiply.

On Friday of last week, four days after I advised the House of what was happening and moved for cor-

rective action on the annual appropriations bill, the Postmaster General is quoted as saying that he himself discovered the seizure of mail as long ago as last August, and he said he picked up the phone and agreed with Doug Dillon that it was a bad thing and we stopped it.

It is interesting to note that, first, the Postmaster General waited half a year to disclose this, and then only after someone else called attention to it.

But unexplained, and second, Mr. Chairman, is if the Postmaster General found out about this violation of the law as long ago as August of 1964, and ordered it stopped, how does it happen that the General Counsel advised me, in writing, that the last seizure, a specific instance, took place almost three months later on October 27, 1964?

And, one might feel impelled to ask, how did it happen that both Chief Inspector Montague and Postmaster General Gronouski were assuring Senator Long's committee, in the most explicit terms, in late February and early March, 1965, that first-class mail was always regarded as sacred and was *not* (the Postmaster General's italics) opened?

Chief Inspector Montague, who followed Representative Hall on the witness stand, had the unhappy task of trying to reconcile past pretenses with present disclosure. It went like this:

SENATOR LONG: *Let me ask you, Mr. Montague, you have known for some time, of course, that the Internal Revenue Service did levy on mail—first-class mail of the citizens were opened by people other than the addressee?*

MONTAGUE: *I know that there was such a thing—I was aware that there was such a thing as a levy on mail; yes, sir.*

SENATOR LONG: *How long have you been aware of that, Mr. Montague?*

MONTAGUE: *I think that I first became aware of it back in—I don't know, 1962 or 1963.*

SENATOR LONG: *Were you aware of that when you testified before our committee some weeks ago?*

MONTAGUE: It did not come to my mind, *but I did know there is such a thing as a mail levy, yes.* (Emphasis added.)

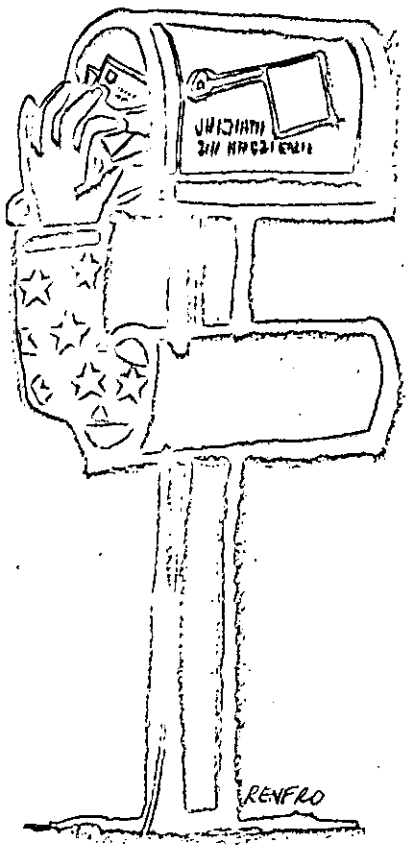
Montague conceded that the department knew of thirty-four cases in which mail had been opened and examined by Internal Revenue agents being forwarded to the recipient, but he argued that "levies" were different from the "mail [illegible] in his previous testimony; that the Post Office's legal brains had assured him levies were legal, not illegal, and he had been dealing in his testimony only with "illegal" practices. Senator Long, exasperated by what he called this quibbling with terms when the truth had been one thing and the initial pretense virtually the opposite, finally snapped: "The further we get into this investigation, the more I am impressed with the idea that the Post Office should deliver the mail and not pry into it."

Hardly anyone believed that the full story had been told or that the only mail being opened was that "levied" upon by Internal Revenue. Fensterwald's investigators privately developed quite a dossier on things that can happen to the mail—and presumably do. Penetrating solutions can be rubbed on the back of envelope flaps to loosen the gum and enable a snooper to open a letter without trace. One of the best methods, Fensterwald says, is still the old one of steaming open the flap. Another simple way of spying is to immerse a letter in a solution of cleaning fluid. This brings up the contents, but one must be careful not to wiggle the letter around in the solution lest the envelope become softened and messed up. A much more sophisticated method borrows a device from the medical laboratory, the cystoscope. Insert one end of this pencil-thin instrument under the flap of a letter, switch on the cystoscope's powerful light, and you are examining in great detail not the human bladder but the contents of "sacred" first-class mail.

How widely are these methods used? That question the committee has not yet answered and perhaps can never answer. Representative Hall testified that he had some information that the Post Office Department was tampering with mail other than that "levied" upon by Internal Revenue, but he had not yet been able to verify his information.

Verification is, of course, extremely difficult. One may see, as I have, first-class mail arriving at his home mysteriously unsealed—and third- or fourth-class mail showing up with flaps ripped apart, sometimes so badly that it seems likely some of the contents have been lost — but how is one going to *prove* that this was done deliberately by the snooper's paw? All that can be said is that a lot of detectives and knowledgeable persons in other walks of life today distrust the mails — and the patent evasions of the highest officials of the Post Office Department before Senator Long's committee did nothing to bolster confidence.

It must not be supposed that such activities are confined to the Post Office and the Bureau of Internal Revenue. No one has yet



compiled a definitive list of all the federal agencies engaged in prying into the private affairs of citizens, but even the skimpiest survey shows that it must be an unholy lot. What the military and such super-secret outfits as the Central Intelligence Agency are up to, no one knows, for they are all wrapped in the cocoon of national security. A former military intelligence agent has recently revealed on nation-wide television that the hotel rooms of Mrs. Eleanor Roosevelt were bugged every time she visited Chicago during World War II.

Mrs. Roosevelt maintained contact with a lot of labor and liberal leaders—and that, apparently, was

caper, he declared, "I had the ice order to run a connecting line into Kansas City FBI headquarters.

With the sanctity of telephone lines being violated at the merest nod of an official head, the inevitable has happened: a general impression has been fostered that there isn't anything much wrong with the game and that everybody might as well get into it. Private detectives in Kansas City joined in the wire tapping free-for-all and quickly learned that they could get all the information they needed by bribing telephone company employees. George W. Robinson, one of the local private eyes, told the Long committee frankly that he had tapped telephone lines, and said that he always got the necessary information about the number of the "pairs" and the location of the terminal box from a confederate inside the company.

FENSTERWALD: *Did you have to pay for them?*

ROBINSON: *I have.*

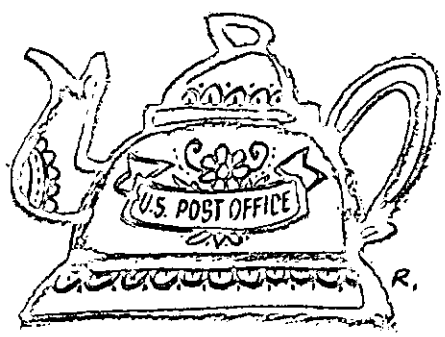
FENSTERWALD: *Could you tell me what the going rate is?*

ROBINSON: *In the vicinity of between $50 and $100; it all depends on the man's attitude when you make the contact.*

When the rampant wire tapping of Kansas City became known, the man on the spot was the telephone official who had authorized so much of it. He was Arthur S. Brewster, a lawyer and the division security supervisor for Southwestern Bell (his primary responsibility, as he himself described it, was to make certain of the security of company property and service, including the privacy of customers). He testified, however, that he had worked hand in glove with the FBI "ever since I have been in this job." Senator Long wanted to know if tapping didn't raise "some question about the invasion of privacy and the violation of the constitutional rights of any citizen that any agent might point his finger at." "I would assume that question could be raised," Brewster replied, almost primly.

The telephone company's man said that any time Chief of Detectives Newman or the FBI asked him to breach security, he cooperated, because he relied implicitly on their integrity. As for running special lines into FBI headquarters to facilitate the tapping, Brewster attempted to argue that this was a regular company service, advertised and available to all comers. Senator Long hopped on the rationalization. Then, he demanded, the company would provide such accommodations for private detectives, wouldn't it? Oh, no, said Brewster, obviously horrified. Why not? If this were a purely commercial transaction, why shouldn't it be sold to anyone who had cash in hand? Brewster protested that private detectives and other agencies "don't have the charge and the responsibility of the Bureau."

Long kept hammering away. Didn't this performance by the telephone company in permitting,



even helping, to tap its own lines raise "a great question of apprehension of your subscribers over the city as to whether their telephones are maybe being tapped or bugged?"

"Sure, it certainly does," Brewster replied.

The telephone company's security man then read into the record a long list of work orders he had approved dealing with the installation of special lines to facilitate the widespread FBI wire tapping.

SENATOR LONG: *Did your employees go with the FBI men when they were disguised as telephone company employees?*

BREWSTER: *I will put it this way. I think there were some Bureau men who went with the telephone company people.*

SENATOR LONG: *Disguised as telephone employees?*

BREWSTER: *They had on old clothes and those things. I think I loaned one of them a pair of —*

SENATOR LONG: *Mr. Brewster, this work is so dangerous and so disagreeable to your men that you have to ask for volunteers, don't you, to go out and handle this type of situation?*

BREWSTER: *I have never had to.*

SENATOR LONG: *I think Mr. Schmitt or Mr. [William] Hare* [two telephone employees who had previously testified] *could answer that question for me. Could either one of you gentlemen answer it for me?*

HARE: *Yes, sir.*

SENATOR LONG: *Thank you. It got so dangerous, they finally stopped volunteering.*

BREWSTER: *It might have been.*

The ethical dilemmas in which a telephone company official becomes involved when he makes the FBI his master were highlighted in a final, farcical exchange between Senator Long and Brewster. Long asked Brewster what happened when telephone subscribers became suspicious and asked the company to determine whether their phones were being tapped. Well, said Brewster, the company sent men out to check poles in the vicinity of the terminal box in question, and twice in the past year, as a matter of fact, they had discovered taps. Then it went like this:

SENATOR LONG: *You have found those. What did you do with the equipment that you found?*

BREWSTER: *Our instructions to our people are, who actually make the inspection, remove the equipment and give it to the customer and advise them to contact the law enforcing officers, preferably the FBI.* (Emphasis added.)

SENATOR LONG: *What would you have done if you got a call from the Acme Jobbing Company, I believe you said, down at 2512 McGee Street?* [This was one of the locations that Brewster had helped the FBI to tap.] *What would you have done if you had gotten a call that their line was being tapped?*

BREWSTER: *I don't know, to be frank with you.*

SENATOR LONG: *Would you have gone down to check it?*

BREWSTER: *I just don't know.*

This seems like an appropriate note on which to close this account of the world of Big Brother. Freedom can hardly endure, despite all the platitudes of stump-shouting politicians, unless people can *feel free* to exchange their private thoughts and indulge in uninhibited discussion. And who can *feel free* in a world in which government employees spy on a sun-bathing wife, snoop through mail, tap telephones, bug the most private areas of the home—and then, if it suits official purposes, take the witness stand and, superior to the law, blithely lie about it? The subterranean world that the Long committee investigation has been exposing is in irreconcilable conflict with the traditions of our past and is incalculably menacing to any continuance of a healthy democracy.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : MR. TOLSON

DATE: January 28, 1966

FROM : C. D. DeLoach

SUBJECT: SENATOR EDWARD V. LONG
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SP/dmj

The Attorney General's secretary called at 9:25 a. m. this morning and indicated that the Attorney General would appreciate me coming around to his office. After advising you and the Director, I went over to the Department.

The Attorney General asked me how I felt. I told him I was damned mad. He asked why. I mentioned that apparently Ed Guthman had steamed up his favorite hatchet man, [redacted] against the FBI once again. The Attorney General asked for the facts. I told him that [redacted] had called here twice yesterday and I had refused to talk to him. He then had called Mr. Wick's office without identifying himself and got Wick on the phone. He asked Wick several sarcastic questions about the identity of FBI representatives who had gone up on the Hill to see Senator Long. Wick told him nothing. I told the Attorney General we had learned that last night [redacted] had filed a story with his paper, the "Los Angeles Times," reflecting a lead, "Senate Subcommittee on Privacy backs away from FBI." I stated this was a deliberate attempt on the part of [redacted] to line up Senator Long against the FBI. I added that such a campaign could not help but force Senator Long to attempt to take action against the FBI.

b6
b7C

The Attorney General stated he thought I was wrong about Guthman initiating this move. He stated he knew precisely the identity of the individual who had leaked information to [redacted] He added that it was none other than Bernard Fensterwald, Senator Long's Chief Counsel. I asked him how he knew this. He stated he couldn't tell me, however, he knew this to be the truth. He then added that Fensterwald had been fired by the late Senator Kefauver for pulling the same stunts when he was Kefauver's chief counsel. I told the Attorney General that I could not agree with him. I mentioned that we were well aware of Fensterwald's propensities however we were also well aware of Guthman's connections. The Attorney General asked me if I meant Bobby Kennedy. I told him I most certainly did. He stated that Bobby would have nothing to gain from pulling such tricks. I told him that was one

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b7C

Continued on next page....

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Wick
1 - Mr. Mohr
1 - Mr. Gale
1 - Mr. Sullivan

77-44206 38

FEB 7 1966

FEB 4 1966

NIXON

CDD:amr (7)

point that we could not understand----why Bobby and Guthman would be attempting to embarrass the FBI with the full knowledge that such activities could lead right back to Bobby and his sponsorship and sanction of widespread usage of microphones throughout all investigative agencies of the Government. The Attorney General stated that Guthman was not responsible. I told him that I did not share that opinion.

The Attorney General stated that he was aware of the fact that we did not like Guthman. I told him it was not a matter of not liking someone but rather the matter of someone pulling dirty tricks on the FBI. The Attorney General made no comment.

The Attorney General indicated that he would see Senator Long at 11:00 a. m. this morning. He indicated that from his act of approving the Director's letter to Senator Long last week he felt that we had already seen the Senator. I told him this was correct. He stated that obviously our approach had been very successful. He mentioned that he would like to know what was said to Senator Long so that he could use the same approach this morning. I told the Attorney General that no specific "approach" had been used but that we had merely justified FBI actions in an honest, fair way. The Attorney General stated he would do the same. He said he had received the Director's memorandum concerning San Francisco activities and that he felt that facts contained therein would be of service to him. He asked me what I thought about leaving the Director's blind memorandum concerning leased line microphones on criminal activities in San Francisco with Senator Long. I told him I thought this would be a very bad idea. He stated that he would have trouble remembering all the facts. He thought, therefore, that he would just hand the memorandum to Senator Long and let him read it. He was told that there would appear to be no objection to this as long as he did not let Senator Long retain this memorandum. He stated he did not plan to leave it in Senator Long's hands. I did not tell the Attorney General that we had thoroughly gone over the same matter with Senator Long with respect to San Francisco.

The Attorney General indicated that he was going to try to sidetrack Senator Long into working on new legislation covering organized crime rather than continuing hearings regarding the invasion of privacy. I told the Attorney General that while this may seem logical it would appear that Senator McClellan rather controlled this field and Senator Long might feel he was being deprived of publicity important to himself. The Attorney General agreed and stated that regardless of what success he might have with Senator Long, the [redacted] story would probably kill everything anyhow. I stated that certain people should think of these things prior to initiating smear actions. This was the end of the conversation. b6 b7C

V.

~~CONFIDENTIAL~~

February 10, 1966

BY LIAISON

Honorable Marvin Watson
Special Assistant to the President
The White House
Washington, D. C.

Dear Mr. Watson:

Reference is made to the name check requests from Mrs. Stegall relative to some 1,300 individuals.

Attached are separate memoranda on each of the following individuals included in these name check requests:

[redacted]

Bernard Fensterwald, Jr.

[redacted]

[redacted]

b6
b7C

This letter of transmittal can be declassified when it is detached from the enclosure bearing a classification.

Sincerely yours,

1 - Mr. DeLoach - Encs. (20) - sent direct 1 - Mr. Rosen - Encs. (20)
1 - Mr. Gale - Encs. (20)
NOTE: To be delivered by liaison.
Enclosures (29)
JMM:jol (8)

~~CONFIDENTIAL~~

Delivered to Mildred Stegall on

DECLASSIFIED BY 5668 SLD/amy ON 8/5/94

MAIL ROOM ☐ TELETYPE UNIT ☐

1 77-44 ENCLOSURE 39
NOT RECORDED
170 FEB 15 1966
ENCLOSURE
57 FEB 24 1966

February 10, 1966

BERNARD FENSTERWALD, JR.

The above-mentioned individual was the subject of FBI investigations during 1949 and 1959, and attached is a copy of the summary memorandum which was prepared dated March 20, 1959. (77-44206-36)

The fingerprint files of the Identification Division of the FBI contain no arrest data identifiable with Mr. Fensterwald based upon background information submitted in connection with this name check request.

Enclosure

MAJ:jma

8/5/94 5668 SLD/dmj

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

77-44206-39

ENCLOSURE

4-22 (Rev. 1-22-60) #122

Federal Bureau of Investigation
Records Branch

_____, 19___

- ☐ Name Searching Unit - Room 6527
- ☐ Service Unit - Room 6524
- ☐ Forward to File Review
- ☐ Attention _____
- ☑ Return to Murphy 4230
  Supervisor Room Ext.

Type of References Requested:
- ☐ Regular Request (Analytical Search)
- ☐ All References (Subversive & Nonsubversive)
- ☐ Subversive References Only
- ☐ Nonsubversive References Only
- ☑ Main + Sum References Only

65 sees

Type of Search Requested:
- ☐ Restricted to Locality of _____
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations

Subject Bernard Fensterwald, Jr.
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 12-17 Searcher Initials CS

Prod. _____

DEC 30 1965

	FILE NUMBER	SERIAL
T	~~77-144986~~	
T	~~62-144989~~	
T	~~77-144986 34 Sum 5-30-39~~	
	~~-36 Sum 11-9-66~~	
T	62-9985-8-~~222~~, 245, ~~248~~, ~~185~~, ~~252~~	
T	~~62-35958-109~~	
T	62-9985-8-~~220~~, ~~207~~, ~~202~~, ~~200~~, ~~199~~, ~~198~~	
T	~~-197~~, ~~196~~, ~~243~~, ~~242~~, ~~241~~,	
T	~~-239~~,	
T	77-144986-4 DOC 3-15-65	
T	~~-20~~	
T	~~62-23533-8496~~	
	Mrs Bernard	
	~~45-50850~~	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 56085 SLD/dmj

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Conrad

FROM : A. J. Baker

DATE: March 1, 1966

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Gale
1 - Mr. Conrad
1 - Mr. Baker
1 - Mr. Swartz
1 - [redacted]

SUBJECT: TELEPHONE SECURITY CHECK
FOR SENATOR EDWARD LONG

b6
b7C

Assistant to the Director DeLoach received a request from Senator Edward Long for the Bureau to conduct a security check of his telephone lines at the New Senate Office Building and at his residence. Mr. DeLoach advised that the Director had approved doing this check for the Senator.

On 2/9/66 Electronics Section personnel completed a security check of the office of Senator Long, his secretary and the office of Bernard Fensterwald. This check included monitoring the radio frequency spectrum, a check of all telephone instruments, a physical search of accessible locations in these offices and an inspection of access points within telephone company controlled space. No evidence of tampering was observed.

At the time of this check, Senator Long advised that he would be out of town for several days but would let Mr. DeLoach know when he desired that a check be made of his residence telephone lines.

The results of the completion of the office part of this check on 2/9/66 were furnished to Mr. DeLoach in order that he could orally advise Senator Long.

On 3/1/66 Senator Long advised through [redacted] that he did not feel it was necessary to make a security check at his residence at this time. [redacted] stated the Senator is most appreciative of the check that was made of his office space and expressed his thanks for this service.

ORIGINAL FILED IN

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Accordingly, this completes our action in handling this request.

ACTION:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668SLD/dmj

62-44206-40

16 MAR 8 1966

NOT RECORDED

This is furnished for the information of Assistant to the Director DeLoach.

WEH:bwd (8)

57 MAR 14 1966

0-19 (Rev. 1-26-66)

Laws Fail To Prevent Snooping

A-10

The door closes as a secretary arrives for work. A tape recorder automatically clicks on, providing her boss with a record of everything that happens before he reaches the office.

Or your new hi-fi system with speakers throughout the house is converted, with a few minutes meddling, into a radio station that broadcasts goings-on in every room to any one within blocks who cares to tune in.

These are routine examples of a new million-dollar industry—electronic eavesdropping—and panelists at a D.C. Bar Association meeting last night agreed there is little lawyers can do at present to bring privacy invaders to book.

Eavesdroppers can plant their electronic bugs with relative immunity because of "this tremendous confusion of the law," according to one panelist, Samuel Dash, a former Philadelphia district attorney who wrote a book about the subject.

Another method of listening in, the actual tapping of telegraph or telephone wires, is a violation of Section 605 of Federal Communications regulations. However, said another speaker, Bernard Fensterwald, chief counselor for a Senate committee investigating wiretapping, there has been "virtually no enforcement." He said tappers include the Federal Government, state and local agencies and primarily, individuals and private detectives.

The first Federal controls on evasdropping — or the use of listening devices that do not require wires — go into effect April 8. They are "a step in the right direction," Fensterwald said, but they exempt law enforcement agencies and listening-in at public or semi-public premises.

Jack Richards, a private detective, closed the Junior Bar Night proceedings at the Mayflower. Armed with suitcases of commercially available eavesdropping paraphernalia, he ran through a few quick, chillingly simple bugging techniques.

53 MAR 25 1966

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Tele. Room
Holmes
Gandy

Baker

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

The Washington Post and Times Herald A-10
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

ORIGINAL FILED IN

77-4/4/206-A

NOT RECORDED
191 MAR 17 1966

MAR 9

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: May 2, 1966

FROM : Mr. J. A. Sizoo

CONFIDENTIAL

SUBJECT: SENATOR EDWARD V. LONG
Subcommittee on Administrative
Practice and Procedure

1 - Mr. DeLoach
1 - Mr. Mohr
1 - Mr. Wick
1 - Mr. Sullivan
1 - Mr. J. A. Sizoo
1 - Mr. T. J. Smith

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On 5/2/66, Mr. Raymond A. Taggart telephonically advised Night Supervisor Thomas J. Smith, Domestic Intelligence Division, as follows: (U)

Taggart said that he was informed on 5/2/66, that he must meet with Bernard Fensterwald, General Counsel for Senator Long's Committee investigating wire taps, and that he feels sure the information set forth below is the matter Fensterwald wishes to discuss with him. He is to meet Fensterwald at 2:30 PM, 5/3/66. He will be able to give the facts related below. (U)

Taggart was a Bureau Agent from 1941 to 1951. For the past eight years he has been Security Officer for the Agency for International Development. Subsequent to his leaving the Bureau, Taggart was employed by one Bob Maheu, who operated a private investigations firm. During the time Taggart worked for Maheu, Maheu had a client, Stavros Niarchos, a very wealthy Greek shipping operator who also had vast oil interests. Because of a fight between Niarchos and Aristotle Onassis, another well-known Greek shipping figure who was also involved in oil, Niarchos desired a telephone tap on the lines in Onassis' office in New York City. Maheu was able to get this tap installed through John Frank, who received wide publicity because of his acting as a foreign agent for the Dominican Republic. (X)U

77-44206-41
NOT RECORDED
37 MAY 9 1966

According to Taggart, the Bureau interviewed him in about 1957 concerning his knowledge of John Frank and his activities as a foreign agent. He was also questioned at the time concerning his knowledge of the telephone tap on the office of Onassis. He said that although he was aware of the tap, and so informed the Bureau, he did not then, nor has ever found out who installed the tap, nor did he have any details concerning the matter. (X)U

JAS:chs
(7)

CLASS. & EXT. BY 50-16 SC-PLC
REASON - FCIM II 1-2, 4.2, 3
DATE OF REVIEW 5/2/86 CONTINUED -OVER-

1/4/80 Conf # 77-44206 CONFIDENTIAL

18 MAY 6 1966

INT. SEC. NINE

DECLASSIFIED BY 5168 SCP/AMG ON 8/5/94 PER FBI/DOJ LETTER 190-9532-PSIKY/35

ORIGINAL FILED IN

MEMORANDUM TO MR. SULLIVAN
RE: SENATOR EDWARD V. LONG

Taggart said that he desired that this information be brought to the attention of the Director inasmuch as he feels that his prior connection with the Bureau could be exploited by the Long Committee and that he feels a loyalty and obligation to tell the Bureau in advance that he will meet with Fensterwald. He said that he will keep the Bureau posted as to any developments concerning his meeting with Fensterwald. He said that the General Counsel for the Agency for International Development is meeting on the morning of 5/3/66, to discuss the position of that Agency in the event Taggart's connection with the Agency is brought out in any Long Committee hearing in the future. (U)

ACTION

For information. (U)

ADDENDUM: DOMESTIC INTELLIGENCE DIVISION 5-3-66 WLS:mh

A review of Taggart's personnel file indicates he entered on duty 4-28-41 as a messenger and was appointed Special Agent (cryptographer) 12-29-42. He served in the Laboratory Division until October, 1945, when he was assigned to the field. He was a Supervisor in the Domestic Intelligence Division from 8-1-50 to 4-7-51 when he voluntarily resigned because of financial pressures on him. The file also indicates that in 1954 Taggart advised he was associated with Robert A. Maheu, Associates, a private investigating organization. Maheu is also a former Agent and Maheu Associates has been a controversial organization. On one occasion extensive inquiry was made as to how that organization became aware of the contents of a Bureau SAC Letter. (U)

It is to be noted that on 9-30-58 Taggart's service record was furnished to International Cooperation Administration, the predecessor to Agency for International Development. Statement of character and service having been satisfactory, was not included. (U)

MEMORANDUM TO MR. SULLIVAN
RE: SENATOR EDWARD V. LONG

~~CONFIDENTIAL~~

The personnel file of John Joseph Frank indicates that he was employed as [illegible] on 7-[illegible]-40 and entered Agent's class on 7-[illegible]. He served in the Cleveland and New York Offices until [illegible] when he resigned. He has been the subject of a [illegible] Registration Act investigation and was involved in the 1962 case involving a "wiretap" located in a room in the Mayflower Hotel, Washington, D. C. A key witness hid out on his instructions and subsequently Frank plead guilty to harboring charge and received a sentence of six months in the U.S. District Court, Washington, D. C.

~~CONFIDENTIAL~~

FD-36 (Rev. 5-22-64)

FBI

Date: 5/11/66

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL (Priority)

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI

FROM: SAC, WFO (66-4070)

SENATE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE, COMMITTEE ON JUDICIARY, UNITED STATES SENATE, SENATOR EDWARD V. LONG, DEMOCRAT, MISSOURI - CHAIRMAN

On 5/10/66, JOHN W. LEON, Private Investigator, Washington, D. C., telephonically contacted SA [redacted], WFO, at his residence and stated that he had some information which he wanted to discuss with SA [redacted] prior to his appearance before the above captioned senate subcommittee.

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For your information, JOHN W. LEON was convicted along with former SAs JOHN J. FRANK and OLIVER ANGELONE, with regard to violation of the Federal Communication Act for placing a "bug" at the Mayflower Hotel. LEON received a suspended sentence in this case, but presently has the case on appeal before the United States Supreme Court. LEON formerly furnished information to WFO concerning former Police Chief ROBERT V. MURRAY, and this information was furnished to the Bureau by airtels dated 10/22/64, and 3/31/66, captioned "ROBERT V. MURRAY, FORMER CHIEF, MPD, WASHINGTON, D. C.; INFORMATION CONCERNING".

(3) - Bureau
1 - WFO
JPM:feh
(4)
AIRTEL

18 JUN 8 1966

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLP/pmj

ORIGIN FILED IN

62-44206-42

NOT RECORDED
102 JUN 6 1966

C: C. Wick

Approved: _____ Sent _____ M

Special Agent in Charge

57 JUN 21 1966

LEON stated that last week he had spent considerable time with BERNARD FENSTERWALD, Chief Counsel, [redacted] (phonetic) [redacted] for the above captioned senate subcommittee. He stated that he is scheduled to appear as a witness in opene hearings held by the subcommittee sometime in June, 1965. 66? He related that during his conversations with the committee staff members listed above, they informed him that they were not desirous of proceeding into government organization "wire-tapping," but were interested in "industrial espionage". LEON advised that he has been a Private Investigator in Washington, D. C., since 1948, and as such, has been aware of "wire-tapping" and "bugs" with regard to private companies. He related that he furnished all of the information in his possession to this committee sometime ago, but that apparently [redacted], had lost some of the material. He related that for this reason he was reinterviewed by FENSTERWALD, [redacted] (phonetic), and [redacted], with regard to his testimony. b6 b7C

LEON stated that in connection with his testimony, FENSTERWALD made the statement that he was furnishing information against all or about, ex-FBI Agents, and their work in the private investigative field. LEON stated that he furnished information to these men with regard to his knowledge of the operation of former SA ROBERT MAHUE Mahew and his association with HOWARD HUGHES. He stated that he also told the committee that former SA WILLIAM REDDEN (now deceased) had done some work for MAHUE in connection with HUGHES, but he did not elaborate on REDDEN's connection with MAHUE and HUGHES. In addition, LEON stated that he furnished information to the committee concerning the activities of former SAs JOHN J. FRANK and OLIVER ANGELONE, with regard to his knowledge of the "bug" and other activities at the Mayflower Hotel.

LEON stated that he also told the committee members about some work which he did with an individual (FNU) [redacted], whom he described as an expert wireman, who is presently under indictment in New York City for wiretapping. b6 b7C

LEON stated that during the 1960 Presidential Campaign, he helped service a "bug" installed by [redacted] on [redacted], [redacted], who at that time, was working for the Republican National Committee in Washington, D. C. He stated that while working with [redacted], [redacted] informed him that the "bug" had been ordered from the committee headquarters, but he did not elaborate as to who instructed him [redacted] to install the "bug". In addition, LEON stated that he furnished the subcommittee with information concerning a "bug" and "wiretap" of EDWARD RICKENBACKER in Washington, D. C., and DAVID J. MC DONALD, former President of the National Steelworkers Union. LEON stated that MC DONALD had a "bug" placed on his opponent I. W. ABEL, as well as ABEL's assistants and counsels.

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LEON advised that during his conversations with FENSTERWALD, he indicated to him that he intended to subpoena [redacted] ex-SAs JOHN J. FRANK, OLIVER ANGELONE, and ROBERT MAHUE. He also advised that the subcommittee intended to subpoena [redacted], whom he described as one of the foremost wireman in the country, and THOMAS LA VENIA, a former treasury agent, who is now a private investigator in Washington, D. C.

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LEON stated that during his conversation with FENSTERWALD, FENSTERWALD made the remark that he could only furnish information concerning former FBI Agents, and then laughed. LEON stated that he has become concerned regarding his testimony with regard to the activities of former Special Agents of the FBI, and wanted to know if it would be possible for him to talk with someone in authority who would give him the official position of the Bureau with regard to former Special Agents. He stated that he had the highest regard for the FBI, but felt that from his testimony it might indicate that he disliked the FBI, and was attempting to embarrass the organization. LEON reiterated that he had only the highest regard for the FBI, and stated that he wanted someone to tell him how he should testify with regard to the activities of former Special Agents.

LEON was informed by SA [redacted] that once an individual resigns, retires, or his otherwise separated from the FBI, he has no longer official connection with the Bureau. LEON was also advised that he should tell the truth in his testimony before the subcommittee, and that the FBI would not, and could not tell him how to testify with regard to his knowledge concerning the activities of former Special Agents, no longer connected with the Bureau. b6 b7C

LEON stated that he was fully aware and understood the FBI's position concerning former Special Agents who are presently engaged as private investigators, but felt that his testimony might lead people to believe that he was "anti-FBI". He added that he did not want to embarrass the FBI in his testimony, and added that he would tell the truth concerning his knowledge of the activities of former Special Agents in the "industrial espionage" field. LEON stated that no date had been set for the hearing, inasmuch as the subcommittee wished to get as much publicity as possible, but felt that they wanted to hold off for a while due to the present publicity concerning Senator THOMAS J. DODD of Connecticut.

WFO has experienced considerable difficulty in interviewing LEON, especially in detail, in order to document some of the information which he has furnished. LEON rambles from one subject to another, and it is almost impossible to pin him down as to any comment or point which he makes. For this reason, no effort was made to ascertain the the full details of LEON's testimony before the subcommittee, as it is felt that he will immediately contact BERNARD FENSTERWALD, Committee Chief Counsel, and inform him that the FBI had questioned him regarding his contemplated testimony before the subcommittee. UACB, no additional contact will be made with LEON and in the event he furnishes any additional information regarding the subcommittee hearings, the Bureau will be promptly advised.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

1-Mr. DeLoach
1-Mr. Mohr
1-Mr. Callahan
1-Mr. Bishop
1-Mr. Sullivan
1-Mr. Rosen
1-Mr. Gale
1-Mr. Feeney
1-Mr. Cleveland

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : MR. TOLSON

DATE: 12/12/67

FROM : C. D. DE LOACH

SUBJECT: CREDIT BUREAU HEARINGS
SUBCOMMITTEE ON ADMINISTRATIVE
PRACTICE AND PROCEDURE

I talked to Senator Ed Long at 5:45 p.m., 12/11/67, concerning his letter to the Director dated December 4, 1967.

Senator Long was told that the Director wanted to be of every possible assistance to him in revealing information regarding FBI contacts with credit unions and the manner in which such information was used. I stated that the Senator should realize, however, that his requests were somewhat impractical in that it would cause the FBI to pull several men off necessary work to compile the voluminous statistics that he had asked for. I stated that quite frankly the Congress had taken the FBI out of the applicant investigative business some years ago and that applicant inquiries now were normally based upon requests that we personally received from the President, who desires to ascertain the financial standing of those individuals who receive presidential appointments.

I stated also that there were, of course, a number of other cases in which we checked various credit unions, particularly with respect to ascertaining financial ability or in related type investigations. I told the Senator that our files were, of course, confidential in that such information, when obtained from credit unions, was released only to authorized persons reviewing these reports to determine whether or not an individual should be hired.

Senator Long told me that we should ignore his letter of December 4, 1967, and there would be no need for any reply whatsoever. He stated that the referenced letter to the Director was placed on his desk along with a number of other letters and he automatically signed it without giving much thought to it. He mentioned that his Chief Counsel, Bernard Fensterwald, was the individual who prepared the letter. He indicated he would tell Fensterwald to keep "hands off" the FBI. He added that he was thoroughly satisfied that our contacts with credit unions represented no invasion of privacy and there would be no need for further inquiries in this regard.

CONTINUED....OVER

53 JAN 10 1968

CDD:ahm
(10)

COPY SENT TO MR. TOLSON

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmg

ORIGINAL FILED IN

77-44206-43
NOT RECORDED
46 DEC 27 1967

DeLoach to Mr. Tolson
Re: Credit Bureau Hearings

I thanked the Senator and told him this, of course, would save us considerable time.

While talking with Senator Long, I told him that word had reached us through various sources that two of his staff members, Fensterwald and [redacted] had been in New Orleans, Louisiana, conducting investigations to determine the source of the information given to Life Magazine concerning him, Senator Long. I stated one source had told us that Fensterwald had made the remark, "The information given to Life must have come from a U. S. Attorney's office, the Department of Justice, or the FBI." b6 b7C

I told Senator Long that I felt this was most unfortunate inasmuch as I felt he well knew that the FBI had under no circumstances dealt with Life Magazine in this regard.

Senator Long told me that Fensterwald shot off his mouth too much and that he was also very much aware of the fact that the FBI had never given Life Magazine anything; furthermore, that the FBI was one of his closest friends. He stated that he felt the two articles in Life Magazine were "planted" by Bobby Kennedy inasmuch as Bobby completely controlled Ed Lambert who wrote the articles.

I told the Senator this was likely a very wise guess. The Senator thanked me for this call and stated that I should not hesitate to get in touch with him at any time for assistance.

ACTION:

For record purposes.

5010-106

UNITED STATES GOVERNMENT

Memorandum

Mr. DeLoach

DATE: 10/11/68

FROM: T. E. Bishop

SUBJECT: RICHARD GERSTEIN
DISTRICT ATTORNEY OF DADE COUNTY, FLORIDA
REQUEST FOR IDENTIFICATION RECORD

Synopsis:

On 10/11/68, Bernard Fensterwald, former Chief Counsel of Senator Edward Long's Subcommittee on Eavesdropping and who has never been friendly to the FBI, requested that we furnish him the arrest record on one [redacted] so that he could give this to Richard Gerstein for use in refuting a charge made by [redacted] to the effect that Gerstein accepted a bribe several years ago. Fensterwald was advised that Gerstein should make his request directly to FBI or through FBI channels and also that identification records can be furnished by FBI for official purposes only. Fensterwald admitted that Gerstein's proposed use of the identification record probably would not be in connection with an official matter of the Dade County District Attorney's Office. ASAC Fox of Miami Office was advised of above and stated today's "Miami Herald" carried story to the effect that Gerstein's Republican opponent for District Attorney's position made public a sworn statement from one [redacted] to effect that Gerstein solicited and accepted $1500 bribe in 1960 from one [redacted] of Miami. ASAC Fox was advised that should Gerstein contact Miami Office it should be determined if request is for official purposes or merely political purposes. If latter, Gerstein should be advised record could not be furnished to him but if request appears to be for official purposes, Gerstein's request should be forwarded by Miami Office to Bureau.

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62-44206 -
NOT RECORDED
191 OCT 29 1968

RECOMMENDATION:

None. For information.

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Gale
1 - Mr. Trotter

(DETAILS - page 2)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/15/94 BY 5068 STP/dmj

SEP 1 0 NOV 12 1968
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T. E. Bishop to DeLoach
Re: RICHARD GERSTEIN

Details:

At 4:30 p.m., 10/11/68, Bernard Fensterwald, who is in the office of Senator Edward Long of Missouri and who was formerly Chief Counsel of Long's Subcommittee on Eavesdropping and who has never been a friend of the FBI, telephoned me. He said that Richard Gerstein, the District Attorney of Dade County, Florida, had asked him to secure from the FBI for Gerstein any arrest record the FBI might have on one [redacted] so that Gerstein can use the record in refuting a charge [redacted] has made to the effect that Gerstein accepted a bribe several years ago. Fensterwald stated that the charge concerning the bribe is contained in a story in today's "Miami Herald" newspaper. I pointed out to Fensterwald that I was surprised that Mr. Gerstein had not made his request directly to the FBI or through FBI channels, and also advised Fensterwald that identification records of the FBI can be used by law enforcement agencies only for official purposes. Fensterwald admitted that Gerstein's proposed use of the identification record probably would not be in connection with an official matter of the Dade County District Attorney's Office. I told him that under these circumstances we would prefer that Gerstein contact the Miami Office, fully explain what he wished to use the identification record for and make his request to that office. He was told that if the record was desired for purposes under which it would be proper to furnish it to him, the Miami Office would transmit his request to the Bureau but that, if it were not for the proper purpose, we would not be able to accede to the request. Fensterwald was quite unhappy with this information and hinted very openly that Gerstein had done favors for Senator Long and other Senators and that Fensterwald was considering having "pressure" put on the FBI through these Senators to secure the record.

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I immediately contacted ASAC Fox of the Miami Office who stated that Gerstein is engaged in a very hot battle for re-election as District Attorney of Dade County and many charges and counter-charges are being exchanged between him and his opponent, [redacted], a Republican. In today's "Miami Herald" there is a story to the effect that [redacted] made public a sworn statement from one [redacted] to the effect that in 1960 Gerstein solicited and accepted a $1500 bribe from one [redacted]. I told Fox that, should Miami Office be contacted by Gerstein, he should carefully determine if the request for the identification record of [redacted] is for official purposes or is merely for political purposes. I told him that, if it is for the latter he should explain to Gerstein that the record could not be furnished to him and that, in the event it appeared to be for official purposes, that Gerstein's request should be forwarded by the Miami Office to the Bureau.

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
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Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. DeLoach

DATE: January 14, 1969

FROM : A. Rosen

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Raupach
1 - Mr. Bishop
1 - Mr. Sullivan

SUBJECT: BERNARD FENSTERWALD
EXECUTIVE DIRECTOR
NATIONAL COMMITTEE
TO INVESTIGATE ASSASSINATIONS

Fensterwald appeared as a guest on a radio program called, "Sunday Dialogue" featured by radio station WAVA 1/12/69. This was a two-hour show. The first hour Fensterwald was interviewed by the narrator regarding the purpose of the National Committee to Investigate Assassinations and the second hour was answering questions telephonically from the inquiring public.

Fensterwald stated that the Warren Commission report is a "fairy story" and that it is false and one of the biggest "snow jobs" ever done. He said the Committee's office will be located at 927 15th Street, Northwest, Washington, D. C., telephone number 347-3837.

Fensterwald mentioned at present he has no staff but does have a Board of Directors which include Jim Garrison, New Orleans District Attorney, [redacted], b6 b7C Fred J. Cook, Paris Flammonde, author and others. He hopes to build an investigative staff through funds obtained from private sources and donations. Thereafter, the staff will conduct necessary investigation into the assassinations of President John Fitzgerald Kennedy, Martin Luther King, and Robert F. Kennedy.

Fensterwald intends to link forces with various individuals around the country namely Jim Garrison, Harold Weisberg, [redacted] and others to form an organization so that a large pool of information relating to the assassinations will be available. b6 b7C

When this information becomes available, it is Fensterwald's intention to force, persuade or embarrass the Government to appoint a new Commission or for Congress to reopen the investigation concerning the assassination of President Kennedy. He contends the truth will come out.

KMR:sds
(8)

1 ENCLOSURE

File unit (copy recording) with name can be used in the future.

6 - KMR

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5468 SDS/dmy

ORIGINAL FILED IN

77-44206-44
NOT RECORDED
12 JAN 28 1969
46 JAN 28 1969

54 FEB 12 1969

Memo Rosen to DeLoach
RE: BERNARD FENSTERWALD

Fensterwald stated he believed there was a definite conspiracy involved in the assassination of President Kennedy and that there was more than one assassin involved. He indicated he doubts very much the Warren Commission's statement that there was no conspiracy involved in the assassination of President Kennedy. Fensterwald wants to have the photographs of President Kennedy's autopsy, currently in the Archives, made available as he believes with others of the group with whom he has become aligned, that shots which were responsible for President Kennedy's death came from the front, rather than from the rear.

Fensterwald briefly discussed his background as being associated with Senator Long's committee on wire tapping and had been involved in investigating the Internal Revenue Service and the Department of Justice. He was asked by the narrator if he intended to investigate the FBI. Fensterwald said he was not "doing an investigation of the FBI as such," however, will have the advantage of having [redacted] on the Board of Directors as well as Fred J. Cook, who are knowledgeable about the activities of the FBI and other Government agencies. Fensterwald mentioned Paris Flammonde, whom he described as an author who recently wrote the book "Why President Kennedy Was Killed." Flammonde takes the position in this book that there was a conspiracy involved and analyzes the possibilities of who were involved. b6 b7C

Comments made by Fensterwald regarding the investigation of President Kennedy conducted by the Warren Commission readily revealed that he was not familiar with the full facts or the information contained in the Commission's report. Further he has aligned himself with individuals whom we know to be severe critics of the Warren Commission, the FBI, the CIA and other Government agencies.

He indicated another purpose he has is "to restore some sense of integrity to our Government," as an unsolved murder of a President casts doubt on the Government. Therefore, he will make efforts to bring an honest investigation "by our Government" into the assassination of President Kennedy.

From comments made by Fensterwald and because of the known background of the individuals with whom he is associating, it can be anticipated this group will undoubtedly make unwarranted attacks against the FBI in the future.

ACTION:

This is submitted for information.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

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Holmes
Gandy

TO : Mr. Bishop

DATE: 1-6-69

FROM : M. A. Jones

SUBJECT: NATIONAL COMMITTEE TO INVESTIGATE ASSASSINATIONS

SYNOPSIS:

UPI release of 1-3-69 announced the formation of National Committee to Investigate Assassinations. Board members of the committee include Bernard Fensterwald; Jim Garrison, New Orleans District Attorney; [redacted] Fred J. Cook, author; [redacted]; Lloyd Tupling, Washington, D. C.; and Paris Flammonde, author of a book on assassinations, soon to be released. The Director has asked for a memorandum on Fensterwald, [redacted] Tupling and Flammonde. b6 b7C

Fensterwald, former Chief Counsel to Senator Long's committee on wiretapping was subject of applicant-type inquiries conducted by Bureau in 1949 and 1959. The names of Fensterwald's mother and sister appeared on a list of delegates and members in 1942 of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities. While employed by the State Department in 1956, Fensterwald and his mother traveled to the Soviet Union.

We have had considerable contact with Fensterwald over the past four years as Chief Counsel of the United States Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (the Long committee). In these contacts Fensterwald has clearly shown he is unscrupulous, untrustworthy and anti-FBI. He frequently sought to involve the FBI in wiretapping probes by Long's committee and in January, 1966, in connection with hearings in San Francisco Fensterwald indicated that [redacted] would be one of the witnesses he intended to call in connection with FBI wiretapping. Mr. DeLoach briefed Fensterwald and Senator Long as to [redacted] unsavory background. [redacted] is another board member of the assassination committee. b6 b7C

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ENCLOSURE

MCT-33

62 112097

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Rosen

REC-97 97-44206-46

NOT RECORDED

46 JAN 31 1969

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SYNOPSIS - CONTINUED OVER

MM:cmj
(9)

53 FEB 2 41969

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

In December, 1965, it was obvious that Fensterwald had sent information to Fred Cook, longtime FBI critic, for article in "The Nation" by Cook dealing with wiretapping by Government agencies. Cook quoted Fensterwald as stating, "The thing that has impressed me most is the ease with which Federal agents can lie under oath."

Mr. DeLoach maintained close personal liaison with Senator Long regarding his committee hearings and it was necessary on occasion to contact him regarding letters written over Long's signature to the Bureau requesting certain information. One such instance was in December, 1967, regarding FBI contacts with credit unions. Long stated we should ignore the letter and he would instruct Fensterwald to "keep hands off" the FBI. On same occasion Senator Long advised Mr. DeLoach that Fensterwald had "shot off his mouth too much" in connection with two articles in "Life" magazine dealing with Senator Long which allegedly had been "planted" by Bobby Kennedy.

Fensterwald, who will be Executive Director of assassination committee, left his post as Chief Counsel for the Long committee last month, apparently when Long resigned as Senator in order to give his successor seniority when the present Senate went into session.

No information in Bufiles concerning Paris Flammonde.

No pertinent information in Bufiles concerning Lloyd Tupling who may be identical with individual who was on staff of Senator Richard L. Neuberger in 1954.

[redacted] may be identical with [redacted]

[redacted] b6 b7C

From the above lineup, including Garrison and [redacted], it is obvious that we can expect anti-FBI sentiments from such a group. b6 b7C

RECOMMENDATION:

For information.

DETAILS - CONTINUED OVER

M. A. Jones to Bishop memo
RE: NATIONAL COMMITTEE TO
INVESTIGATE ASSASSINATIONS

DETAILS:

A UPI release on January 3, 1969, announced the formation of a new National Committee to Investigate Assassinations. According to Bernard Fensterwald, 47, of Arlington, Virginia, a board member, the committee's purpose is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963." According to Fensterwald, the committee will concentrate on the assassinations of President Kennedy, Senator Robert Kennedy and Dr. Martin Luther King. In addition to Fensterwald, other members were identified as Jim Garrison, New Orleans District Attorney; [redacted]; Fred J. Cook, author; [redacted] Lloyd Tupling, associated with the Sierra Club, Washington, D. C.; and Paris Flammonde, a New York writer who is the author of a book on assassinations, which is soon to be released. b6 b7C

The Director has asked for a memorandum on Fensterwald, [redacted] Tupling and Flammonde. b6 b7C

Bernard Fensterwald: Fensterwald was born on August 2, 1921, at Nashville, Tennessee. He received the B. S. degree from Harvard College in 1942 and the LL. B. degree from Harvard Law School in 1949. He received the M. A. degree in 1950 from the School of Advanced International Studies, Washington, D. C.

Fensterwald was the subject of applicant-type inquiries conducted by the Bureau in 1949 and 1959. While generally favorable, the names of Mr. Fensterwald's mother and sister appeared on a list of delegates and members of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities, at a meeting held on April 19-21, 1942, at Nashville, Tennessee. Fensterwald and his mother traveled to the Soviet Union in June, 1956, for a three-week vacation visit. At that time, Fensterwald was employed as a lawyer by the United States Department of State.

Fensterwald has been employed on the staffs of a number of Senate committees. In 1953 Fensterwald was employed by the Senate Subcommittee on Constitutional Rights (Henning Committee) and was involved in

DETAILS - CONTINUED OVER

a request to the Bureau from this subcommittee for a list of instances wherein we had furnished information to members of Congress. Senator Henning subsequently advised the Bureau that Fensterwald's requests to the Bureau had been improper. Over the past four years we have had considerable contact with Bernard Fensterwald as Chief Counsel of the United States Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (the Long Committee). In these contacts with Fensterwald it was clearly evident he was unscrupulous, untrustworthy and anti-FBI. He frequently endeavored to draw the FBI into conflicts around the country by his requests of various telephone companies and other sources who might possibly have information of wiretaps and other technical surveillances by the FBI. In January, 1966, in connection with Fensterwald's hearings in San Francisco he indicated that [redacted] would be one of the witnesses he intended to call in connection with the extent of FBI wiretapping. Mr. DeLoach briefed Fensterwald and Senator Long who was present at the time of the discussion with Fensterwald as to [redacted] unsavory background. Fensterwald indicated he would take a second look at [redacted] in view of the information furnished by Mr. DeLoach. ([redacted] is reportedly another board member of the assassination committee)

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"The Nation" magazine in December, 1965, carried an article by Fred J. Cook dealing with wiretapping by Government agencies, including the FBI. It was obvious Cook, a longtime FBI critic, had obtained the information for his article from Fensterwald whom he quoted several times. Typical of many of Fensterwald's utterances in connection with his assignment as Chief Counsel of Senator Long's committee was the statement, in "The Nation" magazine article, "The thing that has impressed me most is the ease with which Federal agents can lie under oath."

Mr. DeLoach maintained close personal liaison with Senator Long concerning the work of the FBI as it might pertain to inquiries conducted by his committee. On occasions letters directed to the FBI requesting certain information were handled orally by Mr. DeLoach with Senator Long who indicated that Fensterwald had prepared the letters. One such instance was in December, 1967, in connection with FBI contacts with credit unions. On that occasion, Senator Long stated we should ignore the letter and he would instruct Fensterwald to "keep hands off" the FBI. On the same occasion

DETAILS - CONTINUED OVER

Senator Long told Mr. DeLoach that Fensterwald has "shot off his mouth too much" in connection with two articles in "Life" magazine dealing with Senator Long which allegedly had been "planted" by Bobby Kennedy. According to the "Washington Post" of 1-3-69, Fensterwald will be the Executive Director of captioned committee. It is noted he left his post as Chief Counsel for the Long committee approximately a week ago, apparently when Long resigned as Senator in order to give his successor seniority when the present Senate went into session. (77-44206)

Paris Flammonde: Bureau files contain no information identifiable with Paris Flammonde.

Lloyd Tupling: During 1954, W. Lloyd Tupling was appointed the Information Officer of the staff of Richard L. Neuberger, Democratic Senator of Oregon. One Lloyd Tupling, University News Bureau, Eugene, Oregon, was listed as a member of the "Society of America's Friends of the Mexican People" as of 8-13-38. This group is no longer in existence and was not investigated by the FBI, although indications were that the group was sympathetic to the communist cause. During May, 1950, one Lloyd Tupling was the publisher of "The State-Wide Newspaper," a weekly published in Boise, Idaho. (100-179915-23)

[redacted]

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A review was made of books written by critics of the Warren Commission to determine if [redacted] might have collaborated with them. In Josiah Thompson's book, "Six Seconds in Dallas," he acknowledges assistance from one [redacted] not further identified. Sylvia Meagher, author of "Accessories After the Fact," a severe critique of the Warren Commission,

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DETAILS - CONTINUED OVER

FBI, CIA, Secret Service, and Dallas Police Department, acknowledges the assistance of [redacted] stating, "I am grateful to [redacted] for making available a list compiled by him of photographs and films which seem to have been overlooked entirely by the Warren Commission and these investigative agencies." b6 b7C

[redacted] wrote us on 7-9-68 along the same vein he had written [redacted], indicating he had important photographs of the assassination which should be reviewed by us, and also enclosed a research monograph relating to the assassination of President Kennedy. By letter of 7-18-68, we advised [redacted] that the information in his monograph, as well as the photographs, were previously furnished the Bureau by the office of former Senator Robert F. Kennedy. Our files reveal no additional pertinent data concerning [redacted]. (62-109060-6520) b6 b7C

0-20 (Rev. 7-27-67)

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

UPI-108
(JFK)
WASHINGTON--NEW ORLEANS DISTRICT ATTORNEY JIM GARRISON IS ONE OF SEVEN BOARD MEMBERS OF A NEW NATIONAL COMMITTEE TO INVESTIGATE ASSASSINATIONS WHICH IS BEING FORMED HERE.

BERNARD FENSTERWALD, 47, OF ARLINGTON, VA., ANOTHER BOARD MEMBER, SAID THE COMMITTEE'S PURPOSE IS "TO EMBARRASS OR FORCE THE GOVERNMENT TO MAKE INVESTIGATIONS THEY HAVE BEEN PUTTING OFF SINCE NOV. 22, 1963."

THAT WAS THE DATE OF PRESIDENT KENNEDY'S ASSASSINATION IN DALLAS.

FENSTERWALD, WHO SAID HE WAS SETTING UP AN OFFICE WHICH WOULD OPEN IN A WEEK, LEFT THE SENATE EARLIER THIS WEEK AFTER 12 YEARS AS COUNSEL FOR SEVERAL COMMITTEES.

"THE COMMITTEE WILL CONCENTRATE ON THE THREE BEST KNOWN ASSASSINATIONS -- PRESIDENT KENNEDY, SENATOR ROBERT KENNEDY AND DR. MARTIN LUTHER KING -- BUT WILL LEAVE ITS OPTIONS OPEN ON SOME OTHER RATHER MYSTERIOUS DEATHS," HE SAID.

"OUR POSITION IS THERE WAS A CONSPIRACY IN DALLAS, THERE WERE STRONG FOOTPRINTS OF A CONSPIRACY IN MEMPHIS WHERE DR. KING WAS SHOT AND NOBODY REALLY KNOWS MUCH ABOUT WHAT WENT ON IN LOS ANGELES (WHERE SENATOR KENNEDY WAS SLAIN) BUT WE INTEND TO LOOK."

HE SAID THE COMMITTEE HOPED TO FIND PRIVATE FINANCIAL SUPPORT TO HIRE A PROFESSIONAL STAFF FOR ITS INVESTIGATIONS.

OTHER BOARD MEMBERS, SAID FENSTERWALD, INCLUDE [redacted] FRED J. COOK, ENGLEWOOD, N.J., AUTHOR; LLOYD [redacted], ASSOCIATED WITH THE SIERRA CLUB HERE, AND PARIS FLAMMONDE, A NEW YORK WRITER WHO WILL HAVE A BOOK OUT NEXT WEEK ON ASSASSINATIONS.

EIGHT MORE BOARD MEMBERS WILL BE NAMED LATER, FENSTERWALD SAID.

1/3--GE158P

ENCLOSURE
62-112647-46
NOT RECORDED
46 JAN 31 1969

ORIGINAL FILED IN 62-112647-1

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[redacted] b6 b7C

62-112097

JAN 27 1969

WASHINGTON CAPITAL NEWS SERVICE

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Walters
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. DeLoach

DATE: 6/15/70

FROM : A. Rosen

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Scatterday
1 - Mr. McGowan
1 - Mr. Bishop

SUBJECT: BERNARD FENSTERWALD, JR.
NAME CHECK REQUEST

Special Agent in Charge of the Memphis Office, in connection with the James Earl Ray case, has requested a name check on Fensterwald, who is the head of a private group called "The Committee to Investigate Assassinations." This request is on behalf of [redacted], b6 b7C the state prosecutor assigned to the Ray case, who had asked for information concerning Fensterwald.

Fensterwald, former chief counsel to Senator Long's committee on wiretapping, was the subject of applicant-type investigations by the Bureau in 1949 and 1959, which developed that the names of his mother and sister appeared on a list of delegates and members in 1942 of the Southern Conference for Human Welfare, cited by the House Committee on Un-American Activities, and in 1956, while employed by the State Department, Fensterwald and his mother traveled to the Soviet Union for a vacation. No other derogatory data was developed. Fensterwald, in addition to his former State Department employment, was chief counsel of the U.S. Senate Committee on the Judiciary; Subcommittee on Administrative Practice and Procedure (Long Committee), and our contacts with him clearly showed he was unscrupulous, untrustworthy and anti-FBI and sought to involve the Bureau in wiretapping probes by Long's Committee. He allegedly leaked information to Fred Cook, long-time FBI critic, for an article by Cook which appeared in "The Nation," dealing with wiretapping by Government agencies.

A United Press International release in January, 1969, reported on the founding of the new committee to investigate assassinations, stating that Fensterwald was one of the members thereof together with District Attorney James Garrison of New Orleans, and [redacted] and extremely anti-FBI). b6 b7C Fensterwald was quoted as stating the purpose of the committee is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963," and indicated the committee's position was that there was a conspiracy in Dallas in connection with the assassination of President Kennedy and that there were "strong footprints" of a conspiracy in connection with the shooting of Dr. Martin Luther King.

CONTINUED - OVER

5/5 JUN 24 1970

REC 16 77-44206-47

EX 110

JUN 17 1970

JUN 19 1970

HS:cs (7)

Enc. sent 6-16-70

NAME CHECK

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY SP6/BSD/dmg

RECORDED COPY FILED IN

Memo to Mr. DeLoach
Re: Bernard Fensterwald, Jr.

The attached letter to Memphis sets forth brief biographical data concerning Fensterwald and his employments, together with the data developed during the investigations concerning his mother and sister as well as his trip to the Soviet Union in 1956, which it is believed the Special Agent in Charge, Memphis, should orally furnish to [redacted]. b6 b7C

For his own information and guidance, the letter furnishes Memphis information concerning Fensterwald's anti-FBI attitude and his association with [redacted]. b6 b7C

RECOMMENDATION:

That the attached letter, if approved, be forwarded to Special Agent in Charge, Memphis.

OK

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Felt
Campbell
Rosen
[illegible]
[illegible], E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Walkart
Walters
Soyars
Tele. Room
Holmes
Gandy

TO : Mr. Bishop

DATE: 4-28-72

FROM : M. A. Jones

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - RUSSIA - CUBA
REQUEST FOR ACCESS TO FBI RECORDS -
CONGRESSMAN RICHARD H. ICHORD (D-MO.)

Reference memorandum of 4-10-72 from Mr. Branigan to Mr. Miller wherein it was recommended and approved that contact be made with Congressman Richard Ichord (D-Mo.) or appropriate members of his staff to determine his need for three specific documents relating to Bureau sources and operations which the Congressman had requested from Archives along with a number of other documents from the President's Commission on the Assassination of President John F. Kennedy.

This matter was first discussed by Inspector Bowers with Donald Sanders, Chief Counsel of the House Committee on Internal Security of which Congressman Ichord is Chairman, on 4-12-72. Sanders, a former Special Agent with whom we enjoy an excellent relationship, advised he was aware of Congressman Ichord's request for certain Warren Commission documents from the Archives, although he had not handled this matter. He stated the request had been handled by [redacted], a new Assistant in the Congressman's office. Sanders said he understands the request was made for an individual whose name he believed to be Fensterwald. Sanders was asked if this might be Benard Fensterwald, former Chief Counsel of the Senate Subcommittee on Administrative Practices and Procedures when it was Chaired by Senator Edward Long (D-Mo.) and who is now head of an organization he founded known as the National Committee to Investigate Assassinations. Sanders stated he was not sure but added this would appear to be a reasonable assumption. Sanders was briefly advised of Fensterwald's unsavory background and the fact that his National Committee to Investigate Assassinations includes other unscrupulous individuals such as Jim Garrison, New Orleans District Attorney; [redacted]; and Fred J. Cook, notorious left wing writer and severe critic of the FBI. Sanders expressed concern that Congressman Ichord might have inadvertently become involved with such a crowd.

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ORIGINAL FILED IN

1 - Mr. Mohr
1 - Mr. Rosen
1 - Mr. Bishop
1 - Mr. Miller
1 - Mr. Branigan
1 - Mr. M. A. Jones
1 - Mr. Bowers

62-44206-48
NOT RECORDED
MAY 10 1972

DWB:kjs (8)

CONTINUED - OVER

59 MAY 15 1972

MAY 10 1972

M. A. Jones to Bishop Memo
RE: LEE HARVEY OSWALD

On 4-13-72 Bowers called at the office of Congressman Ichord to speak with [redacted], concerning this matter. Moments after Bowers arrived in the office Benard Fensterwald entered and conversation with the receptionist indicated he had an appointment with [redacted] and also hoped to see the Congressman. Fensterwald did not recognize Bowers although they had several contacts while Fensterwald was employed by the Senate Subcommittee. b6 b7C

The matter of the Congressman's request for the Warren Commission documents was discussed with [redacted] on 4-13-72 and he implied the Congressman wanted these documents in connection with his position as Chairman of the House Committee on Internal Security. He asked if it might be possible for him to review the classified documents and furnish the Congressman a summary to relieve the Congressman of the time-consuming task of having to personally review lengthy documents. [redacted] was advised that under the circumstances it was felt the matter should be discussed personally with Congressman Ichord. [redacted] stated that while the Congressman was then in the office he had a full schedule for the afternoon and indicated he would set an appointment for Bowers to discuss this matter with the Congressman in the near future. b6 b7C

Since that time, [redacted] has been contacted on several occasions concerning the need for an appointment to resolve this matter with the Congressman, and [redacted] has indicated he has been unable to arrange for an appointment. On 4-26-72 Sanders advised he had discussed this matter briefly with Congressman Ichord and told him of Bowers' desire to see him as soon as possible to get the matter resolved. Sanders stated the Congressman remarked that he also has pending a request from CIA for an appointment on the same matter and indicated he would discuss the matter with [redacted] to arrange appointments in the near future. No further word has been heard from [redacted] regarding an appointment. b6 b7C

Our relations with Congressman Ichord are excellent. It seems apparent he has been brought into this matter by [redacted] and that the documents really are wanted for Fensterwald who has publicly stated that the purpose of his National Committee to Investigate Assassinations is "to embarrass or force the Government to make investigations they have been putting off since November 22, 1963." Undoubtedly, Congressman Ichord is not aware of Fensterwald's unsavory background or of the identities of others affiliated with him in the National Committee to Investigate Assassinations. He will be briefed in confidence concerning these individuals when an appointment is arranged with him regarding this matter. b6 b7C

RECOMMENDATION:

For information.

WGC
DWB
TCB
PLM

Memorandum

FEDERAL GOVERNMENT

Subject	Date
Request to Conduct an Expedite Background Investigation re: Bernard Fensterwald, Jr.	MAY 18 1984

To

Lloyd E. Dean
Security Programs Manager
Federal Bureau of Investigation

From

D. Jerry Rubino
Department Security Officer

Attached please find investigative forms (excluding fingerprint cards) for Bernard Fensterwald, Jr., a historical researcher requesting access to Department of Justice information.

It is requested that this background investigation be completed no later than June 15, 1984. Should you have any questions regrading this matter, please have a member of your staff contact [redacted] on [redacted].

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Attachments

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

DE-38
V-131

44206-50

NOT RECORDED
57 MAY 23 1984

SECURITY PROGRAMS UNIT

57 JUN 24 1985

BOB approval No. 50-R208

Standard Form 86
AUGUST 1964
U.S. CIVIL SERVICE COMMISSION
(F.P.M. CHAPTER 736)
86-107

SECURITY INVESTIGATION DATA FOR SENSITIVE POSITION

SERIAL NO. (CSC use only)

INSTRUCTIONS.—Prepare in triplicate, using a typewriter. Fill in all items. If the answer is "No" or "None," so state. If more space is needed for any item, continue under item 28.

1. FULL NAME (Initials and abridgements of full name are not acceptable. If no middle name, show "(NMN)"; if initials only, show "(no given or middle name)")	(LAST NAME)	(FIRST NAME)	(MIDDLE NAME)	2. DATE OF BIRTH
	FENSTERWALD	Bernard, Jr.	-----	August 2, 1921
OTHER NAMES USED. (Maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, and show dates used.) NONE				3. PLACE OF BIRTH: Nashville, Tenn.
				4. ☒ MALE ☐ FEMALE

5. HEIGHT	WEIGHT	COLOR EYES	COLOR HAIR
5'7"	145	Green	Brown

6. ☐ SINGLE ☒ MARRIED ☐ WIDOW(ER) ☐ DIVORCED

7. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME. GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. (Give same information regarding all previous marriages and divorces.) 1st Wife: Elizabeth Vosbury, born 4/9/23 in Coronado, CA, married Alexandria, VA on 6/6/47, divorced in Arlington, VA in 1964. 2nd Wife: [redacted], born [redacted]; married Arlington, VA on 8/24/66.

b6
b7C

8. DATES AND PLACES OF RESIDENCE. (If actual places of residence differ from the mailing addresses, furnish and identify both and go back to January 1, 1937. Begin with present. Continue under item 28 on other side if necessary.)

FROM	TO	NUMBER AND STREET	CITY	STATE
1972	Present	811 Prince Street	Alexandria	VA
1966	1972	4136 N. 27th Street	Arlington	VA
1965	1966	863 N. Kentucky Street	Arlington	VA
1963	1965	1850 Columbia Pike	Arlington	VA
1955	1963	851 N. Lexington St.	Arlington	VA
1954	1955	Triplow Farms	Cambridge	England
1951	1954	851 N. Lexington St.	Arlington	VA
1950	1951	F Street, N.W.	Washington	DC
1946	1950	Harvard Law School	Cambridge	MA
1942	1946	U.S. Navy		
1938	1946	Harvard College	Cambridge	MA
1937-	1938	Leake Avenue	Nashville	TN

9.				
☒ U.S. CITIZEN	☒ BY BIRTH ☐ NATURALIZED	ALIEN REGISTRATION NO.		DATE, PLACE, AND COURT
	CERT. NO.	PETITION NO.		
	☐ DERIVED-PARENTS CERT. NO(S).			
☐ ALIEN	REGISTRATION NO.	NATIVE COUNTRY		DATE AND PORT OF ENTRY

10. EDUCATION. (All schools above elementary.)

NAME OF SCHOOL	ADDRESS	FROM (Year)	TO (Year)	DEGREES
Duncan Preparatory	Nashville, TN	1933	1938	High School
Harvard College	Cambridge, MA	1938	1942	BS
Harvard Law School	Cambridge, MA	1946	1949	LLB
School of Advanced International Studies	Washington, DC	1946	1950	MA
Cambridge University	Cambridge, England	1954	1955	None

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11. THIS SPACE FOR FBI USE. (See also item 29.)

12. SOCIAL SECURITY NUMBER 414-22-1934

13. MILITARY SERVICE (Past or present)

SERIAL NO. (If none, give grade or rating at separation)	BRANCH OF SERVICE (Army, Navy, Air Force, etc.)	FROM (Yr.)	TO (Yr.)
142274(LT)	Navy	1942	1946

44-20a-50

4

26a. REFERENCES. *(Name three persons, not relatives or employers, who are aware of your qualifications and fitness.)*

NAME IN FULL	HOME ADDRESS	BUSINESS ADDRESS	YEARS KNOWN	
			30	
John Henry Faulk	1713 Channel Rd., Austin, Texas		25	b6
			30	b7C

26b. CLOSE PERSONAL ASSOCIATES. *(Name three persons, such as friends, schoolmates or colleagues, who know you well.)*

NAME IN FULL	HOME ADDRESS	BUSINESS ADDRESS	YEARS KNOWN	
			15	b6
				b7C
			15	
Fred Cooke	722 Fernmere, Interlaken, New Jersey		15	

27. TO YOUR KNOWLEDGE, HAVE YOU EVER BEEN THE SUBJECT OF A FULL FIELD OR BACKGROUND PERSONAL INVESTIGATION BY ANY AGENCY OF THE FEDERAL GOVERNMENT? ☒ YES ☐ NO. *(If your answer is "Yes," show in item 28, (1) the name of the investigating agency (2) the approximate date of investigation, and (3) the level of security clearance granted, if known.)*

28. SPACE FOR CONTINUING ANSWERS TO OTHER QUESTIONS. *(Show item numbers to which answers apply. Attach a separate sheet if there is not enough space here.)*

Answer to #27: U.S. Navy 1942-1962, various investigations
FBI 1949-1969, various investigations

29. REPORT OF INFORMATION DEVELOPED. *(This space reserved for FBI use.)* DATE:

Before signing this form check back over it to make sure you have answered all questions fully and correctly.

CERTIFICATION

I CERTIFY that the statements made by me on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

False statement on this form is punishable by law.

May 10, 1984 (DATE)

B. Lenton Ward Jr. (SIGNATURE—*Sign original and first carbon copy*)

INFORMATION TO BE FURNISHED BY AGENCY

INSTRUCTIONS TO AGENCY: See Federal Personnel Manual Chapter 736 and FPM Supplement 296-31, Appendix A, for details on when this form is required and how it is used. If this is a request for investigation before appointment, insert "APPL" in the space for Date of Appointment and show information about the *proposed* appointment in the other spaces for appointment data. The *original* and the *first* carbon copy should be signed by the applicant or appointee. Submit the *original* and the *unsigned* carbon copy of the form, Standard Form 87 (Fingerprint Chart), and any investigative information about the person received on voucher forms or otherwise, to the United States Civil Service Commission, Bureau of Personnel Investigations, Washington, D.C., 20415. If this is a request for full field security investigation, submit these forms to the attention of the Division of Reimbursable Investigations; if this is a request for preappointment national agency checks, submit these forms to the attention of the Control Section.

RETAIN THE CARBON COPY OF STANDARD FORM 86 (SIGNED BY THE APPLICANT OR APPOINTEE) FOR YOUR FILES

DATE OF APPOINTMENT	TYPE OF APPOINTMENT	CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY	TITLE OF POSITION AND GRADE OR SALARY
	☐ EXCEPTED ☐ COMPETITIVE. *(Include indefinite and temporary types of competitive appointments.)*		

DEPARTMENT OR AGENCY	DUTY STATION	SEND RESULTS OF PREAPPOINTMENT CHECK TO:

THIS IS A SENSITIVE POSITION

(SIGNATURE AND TITLE OF AUTHORIZED AGE[redacted]FFICIAL)

☆ GPO : 1980 - 311-153 (6007)

14. HAVE YOU EVER BEEN DISCHARGED FROM THE ARMED FORCES UNDER OTHER THAN HONORABLE CONDITIONS? ☐ YES ☒ NO.
(If answer is "Yes," give details in item 28.)

15. EMPLOYMENT. *(List ALL employment dates starting with your present employment. Give both month and year for all dates. Show ALL dates and addresses when unemployed. Give name under which employed if different from name now used.)*

FROM	TO	NAME OF EMPLOYER (*Firm or agency*) AND SUPERVISOR (*Full name, if known*)	ADDRESS (*Where employed*)	TYPE OF WORK	REASON FOR LEAVING
1969	Present	Self-employed as attorney	Washington, DC	General Law	
1969	Present	Self-employed as attorney	Arlington, VA	General Law	
1959	1969	Judiciary Committee of U.S. Senate	Washington, DC	Legal	Private Practice
1957	1959	Admin.Asst. to U.S. Senator Thomas C. Hennings	Washington, DC	Admin.	Promotion
1950-	1956	U.S. Dept. of State	Washington, DC	Legal	
1942-	1946	U.S. Navy			

16. HAVE YOU EVER BEEN DISCHARGED (FIRED) FROM EMPLOYMENT FOR ANY REASON? ☐ YES ☒ NO.

17. HAVE YOU EVER RESIGNED (QUIT) AFTER BEING INFORMED THAT YOUR EMPLOYER INTENDED TO DISCHARGE (FIRE) YOU FOR ANY REASON? ☐ YES ☒ NO.
(If your answer to 16 or 17 above is "Yes" give details in item 28. Show the name and address of employer, approximate date, and reasons in each case. This information should agree with the statements made in item 15—EMPLOYMENT.)

18. HAVE YOU EVER BEEN ARRESTED, TAKEN INTO CUSTODY, HELD FOR INVESTIGATION OR QUESTIONING, OR CHARGED BY ANY LAW ENFORCEMENT AUTHORITY?
(You may omit: (1) Traffic violations for which you paid a fine of $30 or less; and (2) anything that happened before your 16th birthday. All other incidents must be included, even though they were dismissed or you merely forfeited collateral.) ☐ YES ☐ NO.

IF YOUR ANSWER IS "YES," GIVE FULL DETAILS BELOW:

DATE	CHARGE	PLACE	LAW ENFORCEMENT AUTHORITY	ACTION TAKEN

Several traffic violations - details forgotten -

19. HAVE YOU EVER HAD A NERVOUS BREAKDOWN OR HAVE YOU EVER HAD MEDICAL TREATMENT FOR A MENTAL CONDITION? ☐ YES ☒ NO.
(If your answer is "Yes," give details in item 28.)

20. FOREIGN COUNTRIES VISITED (SINCE 1930). *(Exclusive of military service.)*

COUNTRY	DATE LEFT U.S.A.	DATE RETURNED U.S.A.	PURPOSE
Virtually every country in North and South America, Europe, and Asia, including USSR and China.			Purpose generally for vacation but some trips on business.

21. ARE YOU NOW, OR HAVE YOU EVER BEEN, A MEMBER OF THE COMMUNIST PARTY, U.S.A., OR ANY COMMUNIST OR FASCIST ORGANIZATION? ☐ YES ☒ NO.

22. ARE YOU NOW OR HAVE YOU EVER BEEN A MEMBER OF ANY FOREIGN OR DOMESTIC ORGANIZATION, ASSOCIATION, MOVEMENT, GROUP, OR COMBINATION OF PERSONS WHICH IS TOTALITARIAN, FASCIST, COMMUNIST, OR SUBVERSIVE, OR WHICH HAS ADOPTED, OR SHOWS, A POLICY OF ADVOCATING OR APPROVING THE COMMISSION OF ACTS OF FORCE OR VIOLENCE TO DENY OTHER PERSONS THEIR RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES, OR WHICH SEEKS TO ALTER THE FORM OF GOVERNMENT OF THE UNITED STATES BY UNCONSTITUTIONAL MEANS? ☐ YES ☒ NO.

23. IF YOUR ANSWER TO QUESTION 21 OR 22 ABOVE IS "YES," STATE THE NAMES OF ALL SUCH ORGANIZATIONS, ASSOCIATIONS, MOVEMENTS, GROUPS, OR COMBINATIONS OF PERSONS AND DATES OF MEMBERSHIP. IN ITEM 28 OR ON A SEPARATE SHEET TO BE ATTACHED TO AND MADE A PART OF THIS FORM, GIVE COMPLETE DETAILS OF YOUR ACTIVITIES THEREIN AND MAKE ANY EXPLANATION YOU DESIRE REGARDING YOUR MEMBERSHIP OR ACTIVITIES.

NAME IN FULL	ADDRESS	FROM	TO	OFFICE HELD

24. MEMBERSHIP IN OTHER ORGANIZATIONS. *(List all organizations in which you are now a member or have been a member, except those which show religious or political affiliations.)* *(If none, so state.)*

NAME IN FULL	ADDRESS	TYPE	FROM	TO	OFFICE HELD
D.C. Bar	Washington, DC	Legal	1950	Present	None
VA Bar	Arlington, VA	Legal	1981	Present	None
Alexandria Community Y	Alexandria, VA		1980s	Present	Chairman of Y's Men
Boy Scouts of America	Nashville, TN		1930s		

25. RELATIVES. *(Parents, spouse, divorced spouse, children, brothers, and sisters, living or dead. Name of spouse should include maiden name and any other names by previous marriage. If person is dead, state "dead" after relationship and furnish information for other columns as of time of death.)*

RELATION	NAME IN FULL	YEAR OF BIRTH	ADDRESS	COUNTRY OF BIRTH	PRESENT CITIZENSHIP
Spouse	[redacted]			USA	USA
Son	[redacted]			USA	USA
Sister	Ann Fensterwald Eisenstein	1918	1108 Nichol Lane Nashville, TN	USA	USA
Father	Bernard Fensterwald, Sr.	1890 (dead)		USA	
Mother	Blanch Lindauer Fensterwald	1892 (dead)		USA	
*	[redacted]				

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b7C

U.S. Department of Justice
Deputy Attorney General

Authority to Release Information

To Whom It May Concern:

In connection with the background investigation being conducted by the Federal Bureau of Investigation, I hereby authorize any Special Agent or other authorized representative of the Federal Bureau of Investigation bearing this release, or copy thereof, within one year of its date, to obtain any information in your files pertaining to my State Bar, grievance records, employment, military, credit or educational records including, but not limited to, academic, achievement, attendance, athletic, personal history and disciplinary records; medical records, and credit records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information will be used in connection with the consideration of my employment by the U.S. Department of Justice and will be disseminated to those individuals or agencies directly involved in this determination or to fulfill other obligations imposed by law, regulation or presidential directive or executive order. I hereby release you, as the custodian of such records, and any school, college, university, or other educational institution, hospital, or other repository of medical records, credit bureau, consumer reporting agency, or retail business establishment including its officers, employees, or related personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may at time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of this release, you may contact me as indicated below.

Full Name: R. J. Fensterwald Jr.
(Signature)

Full Name: Bernard Fensterwald, Jr.
(Type or print)

Parent or Guardian:

(If Required)

Date: May 10, 1984

Current Address: 811 Prince Street

Alexandria, Virginia 22314

Telephone Number: 703-548-8479

Bar Membership(s): State District of Columbia Registration Number 45625

Virginia 022000

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 56068 SLS/dmj

FORM DAG-67
JUN. 82

4-22 (Re[illegible]1-83)

FEDERAL BUREAU OF INVEST[illegible]TION
Records/Operations Sections

5/23, 19 84

- ☐ Name Searching Unit, 4543, TL# 115
- ☑ ~~Service Unit~~, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention EX-2193
- ☑ Return to [redacted] 5432 243 b6
  Supervisor, Room, TL#, Ext. [redacted] b7C

Type of Search Requested: (Check One)
- ☑ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)
- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Bernard Fensterwald, Jr.
Birthdate & Place 8/2/21, Nashville, TENN.
Address 811 Prince St., Alexandria Virginia
Localities _____

R# _____ Date 5-23 Searcher Initials J

Prod. _____

	FILE NUMBER	SERIAL
I	77-44206	
I	190-9532	
I	190-43505	
I	197-182	
I	197-1947	
I	197-4238	
I	62-112697-1 Serial	1-6-69
I	77-44206-34 "	3-30-59
I	36 "	10-27-64
I	44-38861-5942	
I	62-0-92919	
I	62-587-1241	
I	1250	
I	1258	
I	62-23533-9496	
I	62-38958-68	
I	62-99828-60	
I	-81	
I	99	

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FBI/DOJ

II

4-22a (11-1,7-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial J

Prod. _____

	FILE NUMBER	SERIAL
I	62-99828-100	
I	101	
I	155	
I	156	
I	185	
I	199	
I	202	
I	204	
I	212	
I	213	
I	218	
I	220	
I	232	
I	245	
I	250	
I	267	
I	270	
I	282	
I	294	
I	313	
I	314	
I	325	
I	331	

FBI/DOJ

III

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD, FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial J

Prod. _____

	FILE NUMBER	SERIAL
I	62-99828-347	
I	366	
I	371	
I	384	
I	387	
I	392	
I	398	
I	404	
	62-102241-45	
I	62-109060-6643	
I	6651	
I	6930 Enc 1 P60	
I	-A WASH Post Times 1-3-69	
I	62-112697-4 Enc 1 P10	
I	7	
I	16	
I	17	
I	18	
I	19	
I	24	
I	26	
I	30 Enc 1 P3	
I	34	

FBI/DOJ

IV

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
	62-112697-A Wash Daily News	3-18-69
I	A	326-69
I	A LA Times	3-18-69
I	62-113909-40	
I	63-0-34934	
I	91-18339-62	
I	63	
I	66	
I	95-230865-5	
I	105-82555-5669	
I	5670	
I	5682	
I	5683	
I	5684	
I	5685	
I	5686	
I	5687	
I	5708	
I	5709	
I	5710	
I	5711	
I	5715	
I	5718	

FBI/DOJ

V

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
I	105-209024-85	
I	93	
I	105-214399-3	
I	4	
I	6	
I	140-0-85797	
I	140-24705-10 P24	
I	190-0-40122	
I	40850	
I	190-2-81160	
I	190-4-206	
I	190-709-72X11	
I	226X2	
I	190-4629-2	
I	190-4638-2	
I	190-5581-29	
I	35	
I	190-6118-83	
I	99	
I	190-7738-5	
I	190-14799-4	
I	-21	
I	190-18980-15	

FBI/DOJ

VE

4-22a (11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: BERNARD FENSTERWALD

Supervisor _____ Room _____

R# _____ Date 5-23 Searcher Initial D

Prod. _____

	FILE NUMBER	SERIAL
I	190-21485-3	
I	-7X	
I	-20	
I	-26	
I	190-25460-52	
I	190-27171-12	
I	190-28876-3	
I	4	
I	197-122-3 ENCL PG4	
	BERNARD J. (BJ)	
I	190-4-30 ENCL PG8	
	B.	
	SI	
	B.A.	
	SI	
	Bud (AKA)	
I	62-99828-394	

FBI/DOJ

4-[illegible] (7-1-83)

FEDERAL BUREAU OF INVES[illegible]ATION
Records/Operations Sections

_____, 19___

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)
- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)
- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Feuerswald, Bernard Jr.
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOC
Prod. _____

	FILE NUMBER	SERIAL
HQ	77-44206	I
NY	190-9532	
NY	190-43505	
NY	190-182	
NY	100-1947	
NY	100-6238	I
NY	62-112697-1	Serial 2-6-64 I
NY	77-44206-34	Serial 3-20-59
NY	-36	Serial 10-27-60
NY	47-55254	
NY	105-40252 I	I
NY	44-38861-5942, 5878	
NY	62-0-92919 I	I
NY	62-587-1241, 1250, 1258	
NY	62-23533-9446	
NY	62-33958-108	
NY	62-102221-45 I	I
NY	62-109060-6643, 6651, 6930, 6960	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SP/dmj

FBI/DOJ

4-22a (Rev. 11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-84 Searcher Initial SOU

Prod. _____

	FILE NUMBER	SERIAL
I	62-99828-80, 81, 99, 100, 101, 155, 156	
I	-185, 199, 202, 234, 252, 253, 258	
I	-220, 232, 245, 250, 267, 270	
I	-282, 294, 313, 314, 325, 331	
I	-347, 366, 371, 380, 387, 392	
I	-398, 400	
I	62-109060-A Wash Post-Times Herald 1-3-69	
I	62-112697-Vol 10; 7, 16, 17, 18, 19, 25	
	I I I

4-22a (Rev. 11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-84 Searcher Initial SOY

Prod. _____

	FILE NUMBER	SERIAL
I	140-24705-10,24	
I	190-0-40122, 40850 I	
I	190-2-81160	
I	190-4-206	
I	190-709-72X1; 226X2	
I	190-6029-2	
I	190-6038-2	
I	190-5581-29, 35 I	
I	190-6118-83, 99	
I	190-7738-5	
I	190-14799-4, 21 I	
I	190-8980-15	
I	190-21485-3, 7X, 20, 26 I I I	
I	190-25460-52	
I	190-27171-12	
I	190-28876-3, 4 I	
I	100-172-Serials	
I	CO-2861-A Herald 6-25-70 Wash Post - Times	
I	-A Los Angeles 9-5-70	
I	2-55254-1	
I	62-2110-2590	
I	76-2631-28	

FBI/DOJ

4-22a (Rev. 11-17-59)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: Fensterwald, Bernard Jr.

Supervisor _____ Room _____

R# _____ Date 5-23-80 Searcher Initial SOC

Prod. _____

	FILE NUMBER	SERIAL
1	72-1404-A Evening Star 3-6-65	
	-A (Incl newspaper Post 3-15-65)	
1	94-55956-20	
1	105-50350-3	
	B. Ford	
	ST	
	B.A. (aka)	
	ST	
	Bernard J. (Bud)	
1	190-4-30 ep 48	
	Bud (aka)	
1	62-99828-394	
	Bush (aka)	
1	105-209024-73	
	Fensterwald, Bernard (Bud)	
1	62-99828-75	

FBI/DOJ

4-22 (7-1-83)

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

_____, 19____

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Yosbury, Elizabeth
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOY
Prod. _____

	FILE NUMBER	SERIAL
	ML	
	ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/amy	
I	Feustforwald, B. MG 77-44206 - 5, 10	

FBI/DOJ

4-22 (7-1-83)

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

_____, 19____

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Eisenstein, Ann Fenstenwald

Birthdate & Place _____

Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOU

Prod. _____

	FILE NUMBER	SERIAL
	Ann	
1	100-387835-2385 p2	
1	105-106445-2	
1	77-85204-7	
	Fenstenwald, Ann	
1	77-44206-10, 5	
1	100-10355-82	
1	105-50350-2	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

4-22 (Rev. 7-1-83)

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

_____, 19____

- ☐ Name Searching Unit, 4543, TL# 115
- ☐ Service Unit, 4654, TL# 225
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☐ Attention _____
- ☐ Return to _____
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)

- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☑ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)

- ☑ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

Subject Fensterwald, Blanch Lindauer
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 5-23-84 Searcher Initials SOK
Prod. _____

	FILE NUMBER	SERIAL
	Blanche (Mrs)	
I	105-50350	F
I	105-61861-2	
	Barnard Mrs	
	SI	
	B. Mrs	
H	77-44206-5,10	
I	100-10355-82	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5608 SLD/dmy

FBI/DOJ

O-9 (Rev. 8-16-79)

TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____ **DATE:** 5/24/84

FROM: Director, FBI (77-NEW)

TO: SACs, Alexandria
Baltimore
Boston
Houston
Memphis
Newark
Pittsburgh
St. Louis
Washington Field Office
Legat, London

C

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
OO: BUREAU
BUDED: 6/8/84; 7/9/84

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 51668 SAD/dmj

The Department of Justice has approved the initiation of a full-field background investigation on captioned individual, who is a self-employed Historical Researcher in Washington, D.C., who will need access to classified national security information.

MAILED 1 MAY 25 1984 FBI

Enclosed for receiving offices is an SF-86, "Security Investigation Data for Sensitive Position," and an FD-406, Authority to Release Information." Conduct investigation in accordance with instructions contained in Part I, Section 77, and Part II, Section 17, Manual of Investigative Operations and Guidelines. Assign case immediately. Report of completed investigation must be submitted to reach FBIHQ, Security Programs Unit, Room 5432, by BUDED. Credit and arrest checks for applicant and relatives must be submitted by 6/8/84, without fail in order that he may be granted an interim security clearance which will allow him access to classified information.

Enclosures (2)

77-44206-50X

RETURN TO [redacted]
ROOM 5432, TL 243

b6
b7C

NOT RECORDED
2 APR 26 1985

Exec AD Inv. ___
Exec AD Adm. ___
Exec AD LES ___
Asst. Dir.: 1 - [redacted]
Adm. Servs. ___
Crim. Inv. ___
Ident. ___
Intell. ___
Laboratory ___
Legal Coun. ___
Plan. & Insp. ___
Rec. Mgnt. ___
Tech. Servs. ___
Training ___
Public Affs. Off. ___
Telephone Rm. ___
Director's Sec'y ___

JSD:sc
(22)

MAIL ROOM

FBI/DOJ

GPO : 1979 O - 298-383

FBI/DOJ

SL0016 153 0111Z

PP HQ

DE SL

P 231131Z MAY 84

FM ST. LOUIS (77D-M) (P)

TO DIRECTOR PRIORITY

BT

UNCLAS E F T O

BERNARD FENSTERWALD, JR., CONTRACT PERSONNEL INVESTIGATION (D)

BUDED: JUNE 8, 1984; JULY 9, 1984.

RE BUREAU AIRTEL TO ALEXANDRIA, MAY 24, 1984.

ALL INDIVIDUALS CONTACTED WERE APPRISED OF THE PROVISIONS OF THE PRIVACY ACT, AND THOSE REQUESTING CONFIDENTIALITY HAVE BEEN SO NOTED.

ST. LOUIS GENERAL INDICES DISCLOSE FOLLOWING REFERENCES TO BERNARD FENSTERWALD, JR.: ST. LOUIS FILE 88-10663-2 (JUNE, 1977), KNOXVILLE TELETYPE TO BUREAU, JUNE 11, 1977, ENTITLED "JAMES EARL RAY, AKA; CONSPIRACY TO COMMIT UFAC-ESCRAPE, OO: KNOXVILLE", WHICH INDICATED FENSTERWALD VISITOR TO RAY IN PRISON; ST. LOUIS FILE 190-1 SUB 1-45 (FEBRUARY, 1978), LETTER FROM [redacted] 910 - 16TH STREET, N.W., WASHINGTON, D.C,, SAC, ST. LOUIS, DATED JANUARY 27, 1978, CONCERNING FOIA REQUEST PERTAINING TO [redacted], NOT RECORDED,

77-44206 50X1

b6
b7C

2 APR 26 1985

1-D

57 JUN 4 1985

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SD/dmj

Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES
Asst. Dir.:
Adm. Servs.
Crim. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Off. of Cong. & Public Affs.
Rec. Mgnt.
Tech. Servs.
Training
Telephone Rm.
Director's Sec'y

INDICATING REQUEST HAD "ALREADY BEEN MADE TO" FBIHQ; AND ST. LOUIS FILE 190-166 (MAY, 1980), ENTITLED "FOIPA REQUESTS FROM BERNARD J. FENSTERWALD, JR., ESQ.", OF WHICH FCAU, ROOM 6289, FBIHQ, IS AWARE.

SINCE BUREAU PREVIOUSLY AWARE OF AFOREMENTIONED REFERENCES, NO FURTHER ACTION BEING TAKEN BY ST. LOUIS CONCERNING SAME, UACB.

INVESTIGATION CONTINUING AT FEDERAL RECORDS CENTER, CIVILIAN AND MILITARY BRANCHES, ST. LOUIS, MISSOURI, AND REPORT WILL BE SUBMITTED TO BUREAU WITH RESULTS OF CHECKS AT THOSE FACILITIES.

BT

#

FD-36 (Rev. 8-26-82)

FBI

TRANSMIT VIA:
☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/1/84

TO: DIRECTOR, FBI
ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

FROM: SAC, HOUSTON (77D-7638) (RUC)

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
OO: BUREAU
BUDED: 6/8/84; 7/9/84

Re Director airtel to AX, et al, 5/24/84.

Enclosed for San Antonio is referenced communication.

No apparent lead for Houston Division inasmuch as Austin, Travis County, Texas is covered by the San Antonio Division.

San Antonio is requested to conduct appropriate investigation in accordance with current instructions.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/99 BY 51668 SLD/dmj

77-44206-50X2

NOT RECORDED
JUN 6 1984

2 - Bureau (Info.)
2 - San Antonio (Encs.2)
1 - Houston
MAG/mag
(5)

Approved: _____ Transmitted _____ (Number) _____ (Time) Per _____

SECURITY PROGRAMS UNIT

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
MEMPHIS	BUREAU	6/6/84	6/5/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY

IA [redacted] b6 b7C

TYPED BY jh

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION (C)

REFERENCE: Bureau airtel 5/25/84.

-RUC-

ADMINISTRATIVE:

Memphis indices negative re Ann Fensterwald Eisenstein.

[redacted] 8/5/94 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

(2) - Bureau
1 - Memphis (77C-4946)

77-44206-50X3

NOT RECORDED
JUN 11 1984

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By	57 JUN 1 1984			

Notations

FACIL MGMT & SEC. SECT.

c43—16—83489-1 GPO

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [redacted] Office: Memphis
Date: June 6, 1984

Field Office File #: 77C-4946 Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Applicant's birth verified. No arrest record for applicant's sister at Nashville, Tennessee.

-RUC-

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 5668 SLD/dmj

DETAILS

Birth

On June 5, 1984, Mrs. Martha Boone, Office of Vital Records, Department of Health and Environment, State of Tennessee, Nashville, advised the birth of BERNARD FENSTERWALD, JR. on August 2, 1921 at Nashville, Tennessee, is recorded in Volume 17 Page 215 in records of that office; father BERNARD FENSTERWALD, mother's maiden name BLANCH LINDAUER.

Arrest Check

On June 5, 1984, a review of the computerized records of Metropolitan Police Dept., Nashville, Tennessee, located no information identifiable with ANN FENSTERWALD EISENSTEIN, born 1918.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

U.S.GPO:1975-0-575-841

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
BOSTON	BUREAU	6/8/84	6/4-5/84

TITLE OF CASE	REPORT MADE BY	TYPED BY
BERNARD FENSTERWALD, JR.	SA [redacted]	elm b6 b7C
	CHARACTER OF CASE: CONTRACT PERSONNEL INVESTIGATION	

REFERENCE: Bureau airtel Alexandria 5/24/84.

-P-

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668SLD/drw

ADMINISTRATIVE:

All persons contacted were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality. Credit and arrest check conducted by IA [redacted]. b6 b7C

LEADS

BOSTON DIVISION

AT CAMBRIDGE, MASSACHUSETTS

Will forward results of education checks at Harvard University.

ACCOMPLISHMENTS CLAIMED ☐ NONE							
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES	ACQUITTALS	CASE HAS BEEN:
							PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED JWG/MLH SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

77- 44206 - 50X4

COPIES MADE:

2 - Bureau (77-NEW)
1 - Boston (77D-19303)

NOT RECORDED
16 JUN 13 1984

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

FACILITIES SECT.
SECURITY PROGRAMS UNIT

57 JUN 24 1984

A*

COVER PAGE

FBI/DOJ

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted]
Date: June 7, 1984

Office: Boston, Massachusetts

b6
b7C

Field Office File #: 77D-19303

Bureau File #:

Title: BERNARD FENSTERWALD, JR.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5608 SLD/dmj

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Credit and arrest checks reflect no information.

-P-

Details:

CREDIT

On June 4, 1984, MRS. DIANA KELLY, Clerk, Credit Bureau Services, Inc., 6 St. James Avenue, Boston, Massachusetts advised their files contained no record for BERNARD FENSTERWALD, JR., dob 8/2/21, SSAN 414-22-1934.

ARREST

On June 5, 1984, MRS. WANEDA JORDAN, Records Section, Cambridge, Massachusetts Police Department advised their files contained no identifiable information with BERNARD FENSTERWALD, JR., dob 8/2/21.

1*

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents not to be distributed outside your agency.

U.S.GPO:1975-0-575-841

11 JUN 84 09 46Z

FEDERAL BUREAU OF INVESTIGATION

VZCZCLON504 1630920

P 081455Z JUN 84

FM LEGAL ATTACHE LONDON (77D-939)(P)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

C O ~~N F I D E N T I A L~~

ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

BERNARD FENSTERWALD, JR.; CPI. OO: BUREAU BUDEDS: JUNE 8, 1984;

JULY 9, 1984

COMMUNICATION CLASSIFIED "CONFIDENTIAL" EXCEPT WHERE NOTED.

ON JUNE 8, 1984 A CONFIDENTIAL SOURCE ABROAD ADVISED [redacted] (U)

b7D

ALSO ON JUNE 8, 1984 A SECOND CONFIDENTIAL SOURCE ABRAOD ADVISED [redacted]. (U)

77-44 206-50X5

DECLASSIFIED BY 5668 SLD/dmj
ON 9/5/94 (per G-1 guide)

NOT RECORDED
2 APR 26 1985

ADMINISTRATIVE:

REBUAIRTEL MAY 24, 1984.

FIRST CONFIDENTIAL SOURCE ABROAD IS [redacted]; AND SECOND SOURCE IS [redacted].

b7D

1-D

ON FENSTERWALD'S FORM SF86 EDUCATION LISTED WITH CAMBRIDGE UNIVERSITY, CAMBRIDGE, ENGLAND, FROM 1954 TO 1955. IT'S NECESSARY TO HAVE THE NAME OF THE COLLEGE ATTENDED IN ORDER THAT EDUCATION BE VERIFIED; IT WOULD ALSO BE HELPFUL TO KNOW IF DEGREE WAS AWARDED AND SUBJECTS ATTENDED.

BUREAU REQUESTED TO OBTAIN ABOVE INFORMATION AND FURNISH AS SOON AS POSSIBLE.

SECURITY CHECK BEING CONDUCTED; RESULTS WILL BE SUBMITTED AS SOON AS RECEIVED.

~~CLASSIFIED BY G-1; DECL: OADR.~~

BT

Cambridge
Law school.
no degree awarded

NNNN

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
BALTIMORE	BUREAU	6/13/84	6/11/84

TITLE OF CASE

BERNARD FERNSTERWALD, JR.

Bernard Fensterwald Jr.

REPORT MADE BY: CLERK, [redacted] TYPED BY: b6 dj b7C

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

4

REFERENCE: Bureau airtel to Baltimore dated, 5/24/84.

-RUC-

ADMINISTRATIVE DATA: BUDED: 6/8/84; 7/9/84

No one contacted requested confidentiality under the provisions of the Privacy Act.

Baltimore indices negative re applicant.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED

SPECIAL AGENT IN CHARGE

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77-44206-50X6 DE:7

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V-40

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1117 MAR 4 1986

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FBI/DOJ

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:	CLERK, [redacted]	Office:	BALTIMORE	b6 b7C
Date:	June 13, 1984			
Field Office File #:	77C-FM	Bureau File #:		
Title:	BERNARD FERNSTERWALD, JR.			
Character:	CONTRACT PERSONNEL INVESTIGATION			

Synopsis:

DCII was checked on 6/11/84 without locating any record of applicant.

-RUC-

DETAILS:

The Defense Central Index of Investigations (DCII) is a computerized index of applicant, security and criminal investigative files compiled by the Department of Defense (DOD). On June 11, 1984, a search of the DCII was conducted in regard to applicant by the DCII computer operator at Fort George G. Meade, Maryland. Review of the resulting DCII printout disclosed no record of applicant.

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FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
BOSTON	BUREAU	6/13/84	6/7-11/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY: SA [redacted] TYPED BY: elm b6 b7C

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

REFERENCE: Buairtel Alexandria 5/24/84. Boston report SA [redacted] 6/8/84. b6 b7C

-RUC-

ADMINISTRATIVE:

All persons contacted in this matter were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality.

Investigation was conducted by SA [redacted]. b6 b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED JW6/MLH SPECIAL AGENT IN CHARGE

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1 - Boston (77D-19303)

77-44206-50X7

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10 JUN 18 1984

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Notations

SECURITY PROGRAMS UNIT

57 JUN 24 1985

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FBI/DOJ

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: Boston, Massachusetts b6 b7C
Date: June 13, 1984

Field Office File #: 77D-19303 Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SD/dmj

Synopsis: Education verified at Harvard University and Harvard Law School.

-RUC-

Details:

On June 7, 1984, LUCILLE DEMIRJIAN, Assistant Registrar, Harvard Law School, advised that records reflect BERNARD FENSTERWALD, JR., born August 2, 1921 at Nashville, Tennessee attended Harvard Law School from October 21, 1946 through May 21, 1949, at which time a LLB Degree was awarded on June 23, 1949. FENSTERWALD graduated with a "C+," 69, grade point average (below 55 is "F", above 74 is "A"), and a class standing of 103 in 395 total graduates. Upon commencement FENSTERWALD received the Addison Brown Prize for writing the best essay on a designated subject of marine or private international law. There was no derogatory information contained in the file.

On June 11, 1984, MARY CROWLEY, Certification Secretary, Harvard University, Holyoke Center, 1350 Massachusetts Avenue, Cambridge, Massachusetts, advised records reflect that BERNARD FENSTERWALD, JR. born August 2, 1921, at Nashville, Tennessee, attended Harvard University from September 1938 until his graduation on June 11, 1942. FENSTERWALD was awarded a Bachelor of Science degree in the major field of government. FENSTERWALD graduated magna cum laude; no grade point average or class standing was maintained. No derogatory information was noted in the file.

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14 JUN 84 15 MAY

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

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TO DIRECTOR FBI (77-NEW) PRIORITY

BT

~~C O N F I D E N T I A L~~

8/3/94 Classified by 5668 SLD/dmy
Declassify on: OADR (per G-1)
CA#94-06557HG

ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

BERNARD FENSTERWALD, JR.; CPI. 00: BUREAU BUDED: JULY 9, 1984

COMMUNICATION CLASSIFIED "~~CONFIDENTIAL~~" EXCEPT WHERE NOTED.

ON JUNE 14, 1984 A CONFIDENTIAL SOURCE ABROAD ADVISED [redacted] b7D

[redacted] ~~(S)~~ (U)

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENTAL REVIEW COMMITTEE (DRC) DATE: 8/23/94 5668 SLD/dmy

ADMINISTRATIVE:

REBUAIRTEL MAY 24, 1984; LONTEL TO DIRECTOR JUNE 8, 1984.

CONFIDENTIAL SOURCE ABROAD IS [redacted] b7D

[redacted] ~~(S)~~ (U)

77-44206-50X8

NOT RECORDED
APR 26 1985

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1-D

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36 (Rev. 8-26-82)

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PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ ~~TOP SECRET~~
☐ ~~SECRET~~
☐ ~~CONFIDENTIAL~~
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/15/84

~~CONFIDENTIAL~~

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (77D-7102)(P)

8/3/94 Classified by 5668 SLD/dmj
Declassify on: OADR
CA#94-0655 HHG

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION

Re Bureau airtel to Alexandria, 5/24/84.

Alexandria search through ~~confidential~~ indices revealed numerous references to the employee and [redacted]. Alexandria indices search produced numerous Freedom of Information Act requests which the employee had initiated. The employee was also identified as a member of the "Committee to Investigate Assassinations, Inc." [redacted]

b6
b7C
b7E

[redacted] Alexandria notes that the employee (U) was a former member of the Judiciary Committee of the United States Senate and had also been self-employed as an attorney in the District of Columbia. Alexandria search revealed no other information on any other pertinent individuals.

CREDIT CHECK

On June 6, 1984, IA [redacted] caused a search to be made of the files of the CREDIT BUREAU OF NORTHERN VIRGINIA, INC., Post Office Box 232, Manassas, Virginia, which covers the Washington Metropolitan area, and was advised that the employee has a satisfactory credit rating.

b6
b7C

77-44206-50X9

NOT RECORDED
18 JUN 18 1984

(2) Bureau
1-Alexandria
HEB:plw
(3)

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CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC) DATE: 8/3/94 5668 SLD/dmj

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

SECURITY PROGRAMS UNIT

☆ U.S. Government Printing Office: 1984—431-613/6249

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
PITTSBURGH	BUREAU	6/18/84	6/4/84 - 6/15/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY: IA

TYPED BY: vlm

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

b6
b7C

REFERENCE:

Bureau airtel to Alexandria dated 5/24/84.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5068 SLD/dmj

ADMINISTRATIVE:

Review of Pittsburgh indices disclosed the following:

PG File: 190-203 entitled "JEAN RENE SOUETRE, aka Michael Victor Mertz, Michael Roux; BERNARD FENSTERWALD, JR., REQUESTER, FOIA MATTER."

Fensterwald requested local indexes and files be searched regarding Souetre, Mertz, and Roux.

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED _____ SPECIAL AGENT IN CHARGE

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77-44206-50X10

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1 - Pittsburgh (77D-9680-162)

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Notations

PG 77D-9680-162

PG File: 190-0-195 entitled "FOIPA Requests from Bernard J. Fensterwald, Jr., Esquire."

Fensterwald made numerous requests to FBIHQ and various field offices on behalf of J. Gary Shaw and Mark Allen, two JFK Assassination researchers. Directions regarding the handling of these requests were furnished by FBIHQ.

Individuals contacted in this matter were advised of the provisions of the Privacy Act of 1974, and none requested confidentiality.

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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [redacted]
Date: 6/18/84

Office: PITTSBURGH, PA.

b6
b7C

Field Office File #: 77D-9680-162

Bureau File #:

Title: BERNARD FENSTERWALD,JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Office of Personnel Management (OPM) checks negative.

- RUC -

DETAILS:

On June 15, 1984, [redacted] Records Supervisor, United States Office of Personnel Management (USOPM), NACI Center, Boyers, Pennsylvania, advised his indices contain no record for captioned applicant.

b6
b7C

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FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
WASHINGTON FIELD	BUREAU	6/21/84	5/29/84 - 6/11/84

TITLE OF CASE

BERNARD FENSTERWALD JR.

REPORT MADE BY: SA [redacted] b6 b7C — TYPED BY: ld

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

REFERENCE: Buairtel to Alexandria, dated 5/24/84.

- P -

ADMINISTRATIVE: Buded: 6/8/84; 7/9/84.
Police agency checks submitted ~~with~~ Complete report to follow.

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ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

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77-44206-50X11

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57 JUN

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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted]
Date: 6/21/84

Office: WASHINGTON, D.C.

b6
b7C

Field Office File #: 77D-111784

Bureau File #: 77-New

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Local police agency checks negative for applicant and his ex-wife.

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DATE 8/5/94 BY 566B SCD/dmj

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WFO 77D-111784
EG:ld

POLICE AGENCIES

On June 7, 1984, IA [redacted], searched the files of the UNITED STATES PARK POLICE and no identifiable adult criminal or traffic record could be located regarding the applicant or the following relatives: b6 b7C

[redacted] b6 b7C

On June 8, 1984, an inquiry was made of the WASHINGTON AREA LAW ENFORCEMENT SYSTEM (WALES) and it was determined that no Metropolitan Police Department record was on file for the applicant or his above listed relatives. It should be noted that at any time an indefinite number of records are out of the computer and are unavailable for review.

On June 11, 1984, IA [redacted] determined that no record was contained in the DEPARTMENT OF TRANSPORTATION, Bureau of Motor Vehicle services, Government of the District of Columbia files concerning the applicant. b6 b7C

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
SAN ANTONIO	BUREAU	6/27/84	6/20/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY

SA [redacted] b6 b7C

TYPED BY jlg

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

BUDED: 7/9/84

REFERENCE: Bureau airtel to Alexandria, 5/24/84; Houston airtel to Bureau, 6/1/84.

-RUC-

ADMINISTRATIVE:

All persons were apprised of the provisions of the Privacy Act of 1974 and those requesting confidentiality have been so noted.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SHD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED SPECIAL AGENT IN CHARGE

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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] **Office:** SAN ANTONIO, TEXAS b6 b7C
Date: 6/27/84

Field Office File #: SA 77D-8760 **Bureau File #:**

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Reference comments favorably and recommends.

-RUC-

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS:

The following investigation was conducted by Special Agent [redacted] on June 20, 1984 at Austin, Texas: b6 b7C

REFERENCE

JOHN HENRY FAULK, 1713 Channel Road, Austin, advised that he first met the applicant in 1955 or 1956 when both were active in the presidential campaign of ADLAI STEVENSON. They became friends and have maintained that friendship over the years. FAULK stated that he recalls the applicant was the Chief Counsel to the Senate Committee investigating illegal wiretaps during the 1960's, and he is generally considered to be a very capable lawyer and able individual. FAULK added that the applicant is extremely honest and conscientious in all that he does and is a dedicated American citizen even though he has been critical of some Government policies in the past which he has felt were in conflict with the Constitution and the Bill of Rights. FAULK stated that the applicant is a highly scrupulous individual who is quiet and dignified, and who mostly associates with respected professional people. FAULK added that the applicant is held in a great deal of affection

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Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: NEWARK, NEW JERSEY
Date: JUNE 29, 1984

b6
b7C

Field Office File #: 77D-15967 Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: Reference FRED COOK gave BERNARD FENSTERWALD, JR., a favorable recommendation.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS

REFERENCE

On June 28, 1984, FRED COOK, 722 Fernmere, Interlaken, New Jersey, stated that he has known BERNARD FENSTERWALD, JR., since the mid 1960's. They met when FENSTERWALD was the Legal Counsel for the Congressional Committee for Assassinations.

FENSTERWALD is a very bright, dedicated and hard working attorney. He has tremendous energy and is of the highest character and integrity.

To COOK'S knowledge, FENSTERWALD has never used drugs of abuse or abused alcohol. He would highly recommend FENSTERWALD for a position of responsibility with the federal government.

1*

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U.S.GPO:1975-0-575-841

and respect by all. FAULK stated that he does not believe the applicant drinks alcohol and has never used narcotics to his knowledge. FAULK highly recommends the applicant for a position of trust with the Government.

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
ST. LOUIS	BUREAU	6/29/84	6/1 - 6/27/84

TITLE OF CASE: BERNARD FENSTERWALD, JR.

REPORT MADE BY: IA [redacted] b6 b7C — TYPED BY: bjb

CHARACTER OF CASE: CONTRACT PERSONNEL INVESTIGATION (D)

REFERENCE: Buairtel to Alexandria, 5/24/84;
St. Louis teletype to Bureau, 5/23/84 and 5/31/84.

- RUC -

ADMINISTRATIVE:

All persons contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5668 SLD/dmj

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

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1 - St. Louis (77D-M)

SL FILE WILL BE DESTROYED IN 120 DAYS.

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By				

Notations: A/9 SD [illegible] UNT

57 JUN 24 1985

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FBI/DOJ

~~CONFIDENTIAL~~

ARREST CHECKS

On June 6, 1984, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, failed to reflect any information identifiable with the employee's [redacted]. b6 b7C

IA [redacted] caused a search to be made of the files of the FALLS CHURCH, VIRGINIA, POLICE DEPARTMENT, and was advised on June 5, 1984, that no record was located concerning the employee's [redacted]. b6 b7C

IA [redacted] caused a search to be made of the files of the ARLINGTON, VIRGINIA, POLICE DEPARTMENT, and was advised on June 1, 1984, that the following record was located concerning the employee. On January 20, 1952, the employee was cited for the traffice offense of speeding, 45/28 mph zone. On January 21, 1952, the case was disposed of when the employee pled guilty and was fined $10 plus court costs. On May 8, 1969, the employee was cited for allowing his dog to run at large, and on July 8, 1970, the charge was dismissed. It is to be noted that at all times an indefinite number of unidentified records are out of file and an accurate search cannot be made. b6 b7C

IA [redacted] caused a search to be made of the files of the ALEXANDRIA, VIRGINIA, POLICE DEPARTMENT, and was advised on June 1, 1984, that no record was located concerning the employee or [redacted]. b6 b7C

On June 1, 1984, a computerized check of the CENTRAL CRIMINAL RECORDS EXCHANGE (CCRE), VIRGINIA STATE POLICE (VSP), Richmond, Virginia, failed to reflect any information identifiable with the employee.

All individuals contacted have been apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

LEADS:

ALEXANDRIA

AT ALEXANDRIA, VIRGINIA

Will forward results of continuing neighborhood and reference investigations when completed.

~~CONFIDENTIAL~~

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: IA [redacted] Office: ST. LOUIS b6
Date: June 29, 1984 b7C

Field Office File #: SL 77D-M Bureau File #:

Title: BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis: FENSTERWALD served honorably in the NAVY and NAVAL RESERVE. Records, FRC-C, St. Louis, Missouri, disclosed FENSTERWALD employed 1/50 to 9/56 as attorney-adviser with STATE DEPARTMENT, Washington, District of Columbia, terminated by resignation. LWOP for "Educational purposes", rating of performance, and security clearance noted.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS: AT ST. LOUIS, MISSOURI:

Military Service:

A review on June 27, 1984, of the records at the FEDERAL RECORDS CENTER, MILITARY BRANCH, indicated BERNARD FENSTERWALD, JR., serial and social security numbers: 142-274; 414-22-1934, was appointed an ensign in the NAVAL RESERVE on May 6, 1942. He entered on active duty on September 18, 1942, at Hanover, New Hampshire. He was honorably released from active duty on March 1, 1946, as a lieutenant, at Washington, D.C., and was transferred to the RESERVE.

He served in the RESERVE, inactive status, from May 6 to 17, 1942, and from March 2, 1946 to July 1, 1962, when he was honorably discharged by reason of retirement, as a lieutenant, highest rank attained.

He had foreign sea/service in the Asiatic-Pacific Area and the European-African-Middle Eastern Area. He was awarded the Philippine Liberation and World War II Victory Medals, and the American Campaign and Asiatic-Pacific Campaign Medals.

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His character and efficiency ratings ranged from satisfactory to excellent and there was no record of court-martial or absence without official leave.

He was granted a Secret clearance on November 9, 1959, which was terminated at time of retirement.

His date and place of birth were shown as August 2, 1921, at Nashville, Tennessee.

Employment:

On June 4, 1984, a review by Lead Investigative Assistant (LIA) [redacted] of an Official Personnel Folder (OPF) on file at the FEDERAL RECORDS CENTER, CIVILIAN BRANCH (FRC-C), 111 Winnebago Street, disclosed BERNARD FENSTERWALD, JR. was employed on January 9, 1950 as an attorney-adviser with the DEPARTMENT OF STATE, OFFICE OF THE LEGAL ADVISER, OFFICE OF THE ASSISTANT LEGAL ADVISER FOR INTERNATIONAL ORGANIZATION AFFAIRS, at Washington, District of Columbia. On August 31, 1950 he was reassigned to the OFFICE OF THE ASSISTANT LEGAL ADVISER FOR POLITICAL AFFAIRS, and on January 6, 1952 he was reassigned to the OFFICE OF THE ASSISTANT LEGAL ADVISER FOR INTERNATIONAL ORGANIZATION AFFAIRS. He was designated "an Adviser on the United States Delegation to the Eight Session of the United Nations General Assembly, New York City, September 15, 1953" (further details not shown). He was in a leave without pay (LWOP) status from September 3, 1954 to January 5, 1956 for "Educational purposes - to study at the University of Cambridge". He was designated "an Ad Hoc Adviser on the United States Delegation to the Working Level Meeting on the Draft Statute of the International Atomic Energy Agency to convene at Washington, D.C., February 27, 1956" (further details not shown). This employment was terminated on September 5, 1956 by resignation "To accept non-government employment." b6 b7C

His performance was rated as "Excellent", and no unfavorable information was noted in the OPF. It was indicated he was granted a security clearance (level not shown) by the STATE DEPARTMENT during 1954, details not shown.

His date and place of birth were shown as August 2, 1921, at Nashville, Tennessee.

(5-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
NEWARK	BUREAU	6/29/84	6/28/84

TITLE OF CASE	REPORT MADE BY	TYPED BY
BERNARD FENSTERWALD, JR.	SA [redacted] b6 b7C	das
	CHARACTER OF CASE: C.P.I.	

REFERENCE: Bureau airtel to Alexandria, 5/24/84.

- RUC -

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

ADMINISTRATIVE:

FRED COOK was apprised of the provisions of the Right to Privacy Act of 1974.

Reference FRED COOK is the author of the book, The FBI That Nobody Knows, published in 1964.

Newark indices are negative for FENSTERWALD except for FOI requests. Indices are also negative for FRED COOK.

ACCOMPLISHMENTS CLAIMED ☒ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
						0	PENDING OVER ONE YEAR ☐ YES ☒ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☒ NO

APPROVED: James Caprasola Jr. SPECIAL AGENT IN CHARGE

COPIES MADE:

3-Bureau
1-Newark (77D-15967)

DO NOT WRITE IN SPACES BELOW

77-44206-50X14

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

A*
COVER PAGE

JUN 21 1985

c43—16—83480-1 GPO

FD-36 (Rev. 8-26-82)

FBI

TRANSMIT VIA:
- ☐ Teletype
- ☐ Facsimile
- ☐ Airtel

PRECEDENCE:
- ☐ Immediate
- ☐ Priority
- ☐ Routine

CLASSIFICATION:
- ☐ ~~TOP SECRET~~
- ☐ ~~SECRET~~
- ☐ ~~CONFIDENTIAL~~
- ☐ UNCLAS E F T O
- ☐ UNCLAS

~~SECRET~~

Date 7/6/84

TO: DIRECTOR, FBI
ATTENTION: SECURITY PROGRAMS UNIT, ROOM 5432

FROM: SAC, SAN ANTONIO (77D-8760)(P)

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
OO: BUREAU
BUDED: 7/9/84

All markings, notations, and items of information contained herein are classified ~~Secret~~ unless otherwise noted.

Re Houston airtel to San Antonio 6/1/84 and Bureau airtel to Alexandria 5/24/84. (U)

San Antonio indices contained numerous references regarding JOHN HENRY FAULK.

FAULK was subject of closed San Antonio file #100-3754 (Bufile #100-181329) where he was thought to be a member of the Communist Party, as well as numerous other 100 classification "see references" as listed or outlined below:

100-242-756 Bufile 100-3-40
-964
-1039
-1522a item 4
-1534 p. 3
-1631
100-7149-266 p. 7 Bufile #100-345613

77-44206 50X15

2 - Bureau
2 - San Antonio
MWC:amr
(4)

DECLASSIFIED BY 9668 SLD/dmy
ON 8/22/94 - (per SLD)
CA#94-0655 HHG

~~SECRET~~
CLASSIFIED BY G-3
DATE OF REVIEW FOR
DECLASSIFICATION OADR

Approved: JW Transmitted _____ (Number) _____ (Time) Per _____

SA 77D-8760

100-7260-1148 p. 7	Bufile #100-3-86
100-7319-116 p. 2	Bufile #105-355202
100-7490-40	Bufile #100-380741
100-7501-6 p. 3	Bufile #100-3-72
100-8743-1 p. 9	Bufile #100-181329
100-9925-1239 p. 2	Bufile #100-427226

In reference SA file 100-4164-9 an FD-302 dated 8/17/57, concerns the interview of ALFRED KAHN at University City, Missouri, by Special Agent ALLEN H. SMITH (SL file 100-16979) wherein KAHN stated that HALLIE WOOD had married JOHN HENRY FAULK, a merchant seaman and they were subsequently divorced. KAHN stated that FAULK had been an English teacher at the University of Texas and a disc jockey in New York. KAHN stated that he did not know if FAULK had been a member of the Young Communist League or not, but that it was his impression that FAULK had been a member of the Communist Party.

In a memorandum dated 8/19/59 (SA file 100-0-16085) a Dr. H.H. RANSON, Vice President and Provost, the University of Texas at Austin advised SA GEORGE W.H. CARLSON that during the thirties a number of students at UTAT, to include JOHN HENRY FAULK, were suspected of being communists, and he (RANSON) was certain they were.

RANSON also advised that he had received information from ALLAN LUDDEN, Columbia Broadcasting System, New York, that JOHN HENRY FAULK was a complete failure with CBS and associated with "the wrong people".

RANSON also stated that he had received a letter of application from JOHN HENRY FAULK but had turned it down.

In reference SA file 100-7260-1148, a memorandum dated 4/7/64, from SA B.E. DEFFENBAUGH, JR. a source furnished a list of gummed labels which included the name Mr. JOHN HENRY FAULK, 1812 Airole Way, Austin, Texas 78704.

This memorandum was entitled "CP, USA, Southern Region, San Antonio Division Organization; IS-C."

SA file [redacted] captioned [redacted] contains information regarding efforts of local groups affiliated with PLFP to secure FAULK as a speaker at meetings and demonstrations. (S) U b6 b7C b7E

VZCZCWF0105

RR HQ AX

DE WF 0037 220 2245

ZNR UUUUUU

R 07 2154Z AUG 84

FM WASHINGTON FIELD (77D-111784) (C-2)

TO DIRECTOR, FBI (77-NEW) (ROUTINE)

FBI, ALEXANDRIA (ROUTINE)

BT

UNCLAS

BERNARD FENSTERWALD, JR., CONTRACT PERSONNEL INVESTIGATION;

OO:BU BUDED: 6/8/84 D

RE DIRECTOR'S AIRTEL TO ALEXANDRIA, 5/24/84, APPLICANT

HAS INDICATED HE AND [redacted], HAVE

INCORPORATED THEMSELVES AS A LAW FIRM, FENSTERWALD AND

FENSTERWALD, 100 WILSON BOULEVARD, ARLINGTON, VA.

LEAD. ALEXANDRIA. AT ALEXANDRIA, VA. VERIFY INCORPORATION OF

ABOVE MENTIONED LAW FIRM AND VERIFY SELF-EMPLOYMENT OF THE

APPLICANT.

BT

0037-1

NNNN

7 AUG 84 22 43Z

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

b6
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77-44206-50X16

NOT RECORDED

2 APR 23 1985

29 JUNE 1975

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One Man's CIA File Trivia... a Mammoth Waste of Time'

By Mary Ellen Perry
Washington Star Staff Writer

Bernard Fensterwald, Washington lawyer and political activist who is convinced Lee Harvey Oswald did not act alone in assassinating John F. Kennedy, sat looking at a pile of documents that constitutes Fensterwald's CIA security file No. 560 511.

He looked up, shaking his head. "The stuff in my file is mostly trivia," he said. "It looks like a mammoth waste of time and effort."

AFTER BEING sued by Fensterwald, the CIA has sent him some 62 documents, consisting — among other items — of correspondence between himself and the agency, a batch of memorandums with many of the other references in them deleted and some newspaper clippings which, inexplicably, don't mention his name.

Fensterwald is among those U.S. citizens suspecting they were among the 300,000 persons said by the Rockefeller Commission on CIA activities to be listed in agency files.

Many Washington residents, members of various political activist groups here that were spied on by the CIA, are believed to be among those listed in the agency's computerized files.

According to Robert S. Young, CIA Freedom of Information co-ordinator, the agency has been tardy in supplying information to some citizens because the requests have swamped the staff at CIA headquarters in Langley, Va. He said nearly 800 requests, which are supposed to be answered by the agency in 10 days, have not been met.

THE AGENCY, according to a lengthy legal statement filed in U.S. District Court in Alexandria, withheld six documents stored in Fensterwald's file classified "secret" because they mention matters of national security, information concerning CIA activities or personnel abroad or names of persons investigated by or cooperative with the agency.

"I'm more impressed by the size of my file than by the contents," Fensterwald said, glancing around his elegant office in the Christian Science Monitor Building in the District. "If they spent this much time on mine, I wonder how much time they have spent on people they're really interested in."

The documents are in Fensterwald's hands because he sued the CIA in April under regulations of the Freedom of Information Act (FOIA) that require the intelligence agency to disclose on demand contents of his or any of the other hundreds of thousands of such files kept on the domestic activites of Americans.

FENSTERWALD knows that his long public career as counsel to Senate investigative committees, as counsel to convicted Watergate conspirator James W. McCord Jr. and, briefly, as counsel to James Earl Ray, convicted assassin of Dr. Martin Luther King Jr., make him a likely target for CIA interest. In addition, his formation of a private commission to investigate the Kennedy and King slayings and his frequent criticism of government agencies are bound to attract special attention, he acknowledges.

Most other people who may suspect they are the subject of CIA dossiers don't know their file numbers, however, or precisely why the agency would be concerned with them.

Fensterwald wanted not only the opportunity to study his file, he also wants a federal judge to examine the "secret" documents to see if they should be released under the FOIA. The CIA, on the other hand, wants the judge to accept its ruling that the classified materials should remain so without the judge having to read them and make up his own mind.

A SEPTEMBER hearing has been set in Alexandria to consider the question.

Meanwhile, Fensterwald is poring over the items released to him so far by the intelligence agency. "Here's the complete transcript — about 50 pages — of a radio interview I did some years ago here in Washington on the assassinations," he mused, picking up a thick document.

"Here's a memo duly noting a meeting my law partner and I had with a CIA lawyer in Fairfax (headquarters of the agency)," he said. "The fact that my partner was with me is properly recorded along with *his* security file number."

Fensterwald had asked for the meeting, he recalled, to discuss his theory that the CIA had photographs of a "second Oswald," a man Fensterwald insists was trying to get from Mexico City to Russia by way of Cuba just weeks before John F. Kennedy was shot. "We know he wasn't 'our' Oswald because he was in this country at that time," Fensterwald said.

Some of the memgs are so heavily deleted that he can't make out the context, Fensterwald said. The names of other people mentioned in the papers are neatly blocked out, the CIA court memo says, because to reveal them would be to cause their privacy to be invaded.

"DURING THE course of an investigation," the CIA court statement says, "an agency will frequently compile data about individuals which, if revealed, would tend to compromise their privacy."

"For example," it explains, "Document No. 44 contains a reference to the fact that one individual was the subject of an investigation by the FBI because of alleged subversive activity and was reported to have been a member of the Communist party."

continued

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmy

77-44206-50X17

"Other documents," the memo says, "consist of computer printouts of the names of other individuals which were included in (Fensterwald's) file."

Fensterwald said he does not know who the individuals are whose names are deleted, except for one reference made by the CIA to persons who spoke at a Georgetown University conference on the Kennedy assassinations he sponsored in 1973.

The CIA apparently is concerned with protecting the privacy of many other individuals whose names wound up in Fensterwald's file, according to the agency's court memo.

"THE FACT that an individual has a security file within the CIA is easily misunderstood by the general public for it does not necessarily indicate in any way that such individual is considered to be a member of a subversive organization or otherwise a security risk to the interest of the United States," the memo explains.

Instead, the agency says, persons may be the subject of security files simply because they have been CIA employes or have had "contractural relationships" with the agency, "including access to classified data."

In addition, the memo says, some of the information on "third parties" mentioned in Fensterwald's file "is, or might be considered, derogatory."

Other intelligence sources, the memo notes, "frequently occupy positions of prominence in their respective communities and their cooperation with the CIA is one of their most carefully guarded secrets. It would also be extremely embarrassing in many instances if such individuals' association with the CIA became known, and hence the revelation of such association would constitute a clearly unwarranted invasion of such individuals' privacy."

"IT SEEMS to me we're in pretty bad shape if a citizen who is cooperating with the CIA would be embarrassed by it," Fensterwald commented.

The CIA memo noted that some of the documents in Fensterwald's file were heavily edited or withheld entirely to protect foreign intelligence sources, locations of CIA stations and agents abroad, matters vital to national defense or foreign policy and interagency communications, all exempt from disclosure under the FOIA.

The memo was filed in Alexandria federal court in support of the CIA's motion to dismiss Fensterwald's suit, or alternatively, to request a summary judgment.

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attention: [redacted])

Date November 9, 1984

b6
b7C

From : Lloyd E. Dean
Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : REQUEST FOR EXPEDITE
BACKGROUND INVESTIGATION,
RE: BERNARD FENSTERWALD, JR.

INFORMATION MEMORANDUM

All portions of this document are unclassified unless otherwise noted.

Reference DOJ memorandum, dated May 18, 1984, captioned as above.

Enclosed for your review is a pending summary of BERNARD FENSTERWALD's full-field background investigation which is ~~classified~~. Divorce verification and education from 1954 and 1955 will be forwarded to you upon completion.

1 - ENCLOSURE
Enclosure

~~CONFIDENTIAL~~ MATERIAL ATTACHED

77-44206

1 - [redacted]
1 - [redacted]
(Attention: [redacted])

JSD:lal
(5)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

b6
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Photo Req. Pending
NIS 6/12/91
mhf/lmf

Information sent based upon a telephone call to [redacted] NIS who advised NIS has an ongoing investigation at Fensterwald residence. [redacted] may be involved. Classified documents found

Obituary in Bufile 259-764 dated 4/3/91

77-44206-51

NOT RECORDED
20 NOV 28 1984

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Exec. AD-Adm.
Exec. AD-Inv.
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Asst. Dir.:
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Telephone Rm.
Director's Staff

68 JAN 24 1985

MAIL ROOM

FBI/DOJ

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FBI

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PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 8/13/84

TO: DIRECTOR, FBI
ATTENTION: SECURITY PROGRAMS UNIT
[redacted] JEH 5432

b6
b7C

FROM: SAC, ALEXANDRIA (77D-7102) (P)

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION
BUDED: 6/8/84

Re Per request of FBIHQ 8/7/84.

Enclosed for the Bureau is one copy each of Alexandria files: 62-17; 62-0-219; 105-1031; 105-4485; and 190-12, which relate to the captioned applicant.

LEAD:

ALEXANDRIA

Will report remaining investigation including verification of self-employment as set forth in WFO teletype 8/7/84.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 5668 SLD/dmj

2- Bureau (Enc. 1)
1- Alexandria
FGS:smb
(3)

Encls. detached

77-44206-52

Approved: _____ Transmitted _____ Per _____
(Number) (Time)

12 JUL

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
WASHINGTON FIELD	BUREAU	8/13/84	5/29 - 8/7/84

TITLE OF CASE

BERNARD FENSTERWALD, JR.

REPORT MADE BY: SA [redacted] b6 b7C — TYPED BY: gbm

CHARACTER OF CASE

CONTRACT PERSONNEL INVESTIGATION

REFERENCES: WFOrept to BU, dated 6/21/84; WFOtel to Bu, 8/7/84; and WFO phone call with Bureau analyst on 8/10/84.

(RUC)

ADMINISTRATIVE: BUDED 6/8/84.

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

WFO Indices reveal no derogatory information identifiable with his references or his social acquaintances.

As the Bureau is aware, WFO Indices contain numerous references to the applicant regarding FOIPA matters, to include a civil suit against DOJ.

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ NO

APPROVED 2/ SAC — SPECIAL AGENT IN CHARGE

COPIES MADE:

2-Bureau (77-NEW)
1-WFO (77D-111784)

DO NOT WRITE IN SPACES BEI

77-44206-53
NOT RECORDED
2 APR 28 1985

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
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By				

Notations

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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted] Office: WASHINGTON FIELD b6 b7C
Date: AUGUST 13, 1984

Field Office File #: 77D-111784 Bureau File #: 77-NEW

Title:

BERNARD FENSTERWALD, JR.

Character: CONTRACT PERSONNEL INVESTIGATION

Synopsis:

Education at School of Advanced International Studies, John Hopkins University verified. No credit information available from that institution re the applicant. Employment with U.S. Senate Committee on the Judiciary verified through a current counsel of that Committee who commented favorably. Employment as an assistant clerk in the office of Senator Thomas Hennings, Jr. verified through records. Employment with Department of State from 1950 to 1956 could not be verified due to records destruction and inability to locate supervisors or co-workers. Reference, [redacted] contacted and commented favorably. Security check at Department of State negative due to destruction of records. No record found in the Department of Consumer and Regulatory Affairs, Corporation Division regarding the law firm Fensterwald and Fensterwald. b6 b7C

(RUC)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmj

DETAILS: AT WASHINGTON, D.C.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

U.S. GPO:1975-0-575-841

WFO 77D-111784
EG:ams

INTERVIEW OF APPLICANT

The applicant, BERNARD FENSTERWALD, JR., provided the following information to Special Agent [redacted] FEDERAL BUREAU OF INVESTIGATION, Washington Field Office: b6 b7C

FENSTERWALD advised that, when he was employed with the U.S. DEPARTMENT OF STATE from 1950, to 1956, he was employed in the Office of Legal Advisor. The Legal Advisor at the time was ADRIAN FISHER. FISHER was replaced in 1953, by HERMAN PHLAGER. LEONARD MEEKER was the Assistant Legal Advisor throughout this time period.

FENSTERWALD was questioned regarding his current self employment as an Attorney in Washington, D.C. FENSTERWALD advised that until January, 1984, he was the sole proprietor of the law firm. In January, 1984, he formed a corporation with [redacted] b6 b7C which is now known as FENSTERWALD AND FENSTERWALD. Under the corporation, FENSTERWALD and [redacted] technically work for the law firm. The law firm is located at 1000 Wilson Boulevard, Washington, D.C. The law firm handles varied legal matters.

FENSTERWALD advised that he is also involved in the building in operation of storage warehouses. FENSTERWALD is a General Partner in a effort known as UU-STORE COMPANY. The other General Partner in this company is [redacted] b6 b7C

WFO 77D-111784
BPT:ams

EDUCATION

SCHOOL OF ADVANCED INTERNATIONAL STUDIES
JOHN HOPKINS UNIVERSITY
1740 Massachusetts Avenue, N.W.
Washington, D.C.

On August 2, 1984, BETTY BEAUCHAMP, Registrar, SCHOOL OF ADVANCED INTERNATIONAL STUDIES, JOHN HOPKINS UNIVERSITY, provided the following information regarding the applicant, BERNARD FENSTERWALD JR., to Special Agent (SA) [redacted], FEDERAL BUREAU OF INVESTIGATION (FBI), Washington Field Office: b6 b7C

The records of the above institution reflect that the applicant attended that institution from 1946, through 1949, and took ten courses of study achieving an approximate grade point average of 3.4. The applicant passed his Masters Oral Exam on August 18, 1949, and was awarded his Master of Arts in International Affairs on June 3, 1950.

Ms. BEAUCHAMP advised that the SCHOOL OF ADVANCED INTERNATIONAL STUDIES did not provide financial aid during the time the applicant attended that institution, and that no records existed which would pertain to any financial aid provided to the applicant.

WFO 77-111784
DMS:ld

THE U.S. DEPARTMENT OF STATE
23rd and "C" Street N.W.,
Washington, D.C.

On June 4, 1984, SA [redacted] conducted the following investigation regarding BERNARD FENSTERWALD JR. b6 b7C

[redacted], Personnel Assistant, advised that he could not locate any record of employment for the applicant. He advised that records going back to 1956 would not be kept. He advised that he could not identify any supervisors or co-workers. It should be noted that no supervisors were listed on the applicant's SF-86. b6 b7C

The applicant was recontacted on June 7, 1984, and provided the names of his supervisors at the U.S. DEPARTMENT OF STATE.

On June 12, 1984, [redacted] was recontacted and advised that he had no record for ADRIAN FISHER, HERMAN PHLAGER or LEONARD MEEHAR, the applicant's supervisors in the Legal Advisors Office. In view of the above and lapse of time since the employment, no further investigation is being conducted at STATE. b6 b7C

WFO 77D-111784
RCB:cgh

UNITED STATES SENATE EMPLOYMENT/RECORDS

On June 7, 1984, [redacted], UNITED STATES SENATE DISPERSEMENT OFFICE, provided the following information from the records of that office to SA [redacted]: b6 b7C

BERNARD FENSTERWALD JR., accepted an appointment as an assistant clerk in the office of United States Senator THOMAS HENNINGS JR., Missouri, on January 16, 1957. On April 19,1957, his title was changed to Administrative Assistant to Senator HENNINGS.

On Febuary 1,1959, he transfered to a position as Chief Council for the UNITED STATES COMMITTEE ON THE JUDICIARY. On April 1, 1961, his title was changed to Staff Director and Chief Council for the committee. On April 1, 1963, it was again changed to Chief Council. On January 16, 1969, he terminated from that position.

It should be noted that Senator THOMAS HENNINGS, JR., is no longer in office, and his staff is dispersed.

WFO 77D-111784
RCB:cgh

EMPLOYMENT UNITED STATES SENATE
COMMITTEE OF THE JUDICIARY

On June 18, 1984, [redacted] to the UNITED STATES SENATE COMMITTEE ON THE JUDICIARY provided the following information to Special Agent [redacted]: b6 b7C

[redacted] has known BERNARD FENSTERWALD JR., since approximately 1957. From 1959 through 1969 he served with MR. FENSTERWALD on the UNITED STATES SENATE COMMITTEE ON THE JUDICIARY [redacted] at that time was [redacted] and MR. FENSTERWALD was the Chief Council and Staff Director for the majority. [redacted] stated that MR. FENSTERWALD was a fine person and an excellent family man, a brillant lawyer and a outstanding Staff Director. He stated that during his thirty years with the UNITED STATES SENATE very few indiviuals that he has known have approached MR. FENSTERWALD in the areas of honesty, integrity, and effectiveness. b6 b7C

[redacted] advised that he has had no contact with MR. FENSTERWALD since he left the committee in 1969, however up through that time he had never had any reason to question his loyalty to the United States Government and never known him to abuse alcohol or use drugs of abuse. He highly recommended him for a position of trust. b6 b7C

[redacted] stated that he could think of no present employees with the UNITED STATES SENATE who would have worked with MR. FENSTERWALD as most of them have either retired or left for private employment elsewhere. b6 b7C

WFO 77D-111784
BPT:ams

REFERENCE

On August 2, 1984, [redacted], was contacted regarding the applicant, BERNARD FENSTERWALD, JR., by Special Agent (SA) [redacted], FEDERAL BUREAU OF INVESTIGATION (FBI), Washington Field Office, and provided the following information: b6 b7C

[redacted] has been FENSTERWALD's Dentist for the last thirty years, and has seen the applicant regularly, approximately every six months for dental care, additionally [redacted] has socialized with FENSTERWALD and his family. [redacted] and the applicant have a mutual interest in one particular breed of dog, and have frequent contact in order to discuss upcoming dog shows and other related matters. b6 b7C

[redacted] described the applicant as an extremely intelligent individual, who is an extrovert and a very pleasant person to be with. [redacted] was aware that the applicant had written a book pertaining to the applicant's own experience in regards to Watergate. [redacted] described the book as well written, but not outstanding. [redacted] is aware that the applicant is now practicing law, but has no direct knowledge as to FENSTERWALD's actual law practice. b6 b7C

[redacted] described the applicant as an extremely straightforward individual, who is thoroughly loyal to the United States, and he has no hesitation in recommending FENSTERWALD for access to classified or sensitive information, recommending FENSTERWALD for a position of trust and confidence. b6 b7C

Nothing of an adverse nature was known by [redacted] concerning the applicant, to include his character, reputation, integrity, patriotism, use of drugs or alcohol. Specifically, [redacted] stated that FENSTERWALD is a diabetic and refrains from the consumption of any alcohol. b6 b7C

WFO 77D-111784
EG:ld

SECURITY CHECK

Office of Security
DEPARTMENT OF STATE
Washington, D.C.

On June 11, 1984, [redacted], Release of Information Branch, Office of Security, DEPARTMENT OF STATE advised that the security file of BERNARD FENSTERWALD JR., born August 2, 1921, has been destroyed under the routing destruction of the old files.

b6
b7C

WFO 77D-111784
PA:gbm
1

Department of Consumer and Regulatory Affairs
Corporation Division
Washington, D.C.

On August 1, 1984, IA [redacted], checked the records at the above captioned agency regarding the firm, FENSTERWALD AND FENSTERWALD, and no record was located. b6 b7C

10 X

1 2

9/17/84 UNCLAS E F T O PRIORITY

$SIP 1818497Z SEP 84

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/5/94 BY 5068 SLD/dmg

FM DIRECTOR FBI {77-NEW}

TO LEGAL ATTACHE LONDON {77D-939} PRIORITY

BT

UNCLAS E F T O

BERNARD FENSTERWALD, JR.; NONCONTRACT PERSONNEL INVESTIGATION;

00: BUREAU; BUDED: PAST

RELONDON TELETYPE DATED JUNE 14, 1984, CAPTIONED AS ABOVE.

THE DEPARTMENT OF JUSTICE HAS AUTHORIZED A FULL-FIELD BACKGROUND INVESTIGATION TO COMMENCE ON CAPTIONED INDIVIDUAL, DPOB: AUGUST 2, 1921, NASHVILLE, TENNESSEE, SSAN: 414-22-1934. FENSTERWALD IS A SELF EMPLOYED HISTORICAL RESEARCHER, WHO WILL HAVE ACCESS TO CLASSIFIED NATIONAL SECURITY INFORMATION.

CONDUCT INVESTIGATION IN ACCORDANCE WITH INSTRUCTIONS CONTAINED IN PART I, SECTION 77, AND PART II, SECTION 17, MANUAL OF INVESTIGATIVE OPERATIONS AND GUIDELINES. 77-4/4206-54

LONDON: VERIFY EDUCATION AT CAMBRIDGE LAW SCHOOL, CAMBRIDGE UNIVERSITY, CAMBRIDGE, LONDON, FROM 1954 UNTIL 1955.

NOT RECORDED
APR 21 1995

LED/ke USD:SC {3} 9/17/84 5432 3605

1 - [redacted]
1 - [redacted]
ATTN: [redacted]

RETURN TO [redacted]
ROOM 5432 JOB 243

b6
b7C

WITH NO DEGREE AWARDED.

BT

1

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

FD-36

FBI

TRANSMIT VIA:
- ☐ Teletype
- ☐ Facsimile
- ☒ Airtel

PRECEDENCE:
- ☐ Immediate
- ☐ Priority
- ☐ Routine

CLASSIFICATION:
- ☐ ~~TOP SECRET~~
- ☐ ~~SECRET~~
- ☐ ~~CONFIDENTIAL~~
- ☐ UNCLAS E F T O
- ☐ UNCLAS

Date 9/18/84

~~CONFIDENTIAL~~

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (77D-7102) (RUC)

BERNARD FENSTERWALD, JR.;
CONTRACT PERSONNEL INVESTIGATION

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.~~

Re Alexandria airtel to the Bureau dated 8/10/84.

All individuals contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

Alexandria search through ~~confidential~~ indices revealed numerous references to the employee and [redacted]. Alexandria indices search produced numerous freedom of information acts requests which the employee had intiated. The employee was also identified as a member of the "COMMITTEE TO INVESTIGATE ASSASSINATIONS, INCORPORATED." [redacted] b6 b7C b7E

[redacted] (C) (U)

Alexandria noted that the employee was a former member of the Judiciary Committee of the United States Senate and had also been self-employed as an attorney in the District of Columbia. Alexandria search revealed no other information on any other pertinent individuals. (U)

REFERENCES 77-44206-55

[redacted] was b6 b7C interviewed at his office on September 6, 1984, and he stated

2-Bureau
1-Alexandria
HEB:lwc
(3)

~~Classified by 5668 SLD/dmj~~
~~Declassify on: OADR~~
8/3/94
CA#94-0655 HHG

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 SLD/dmj

Approved: _____ Transmitted _____ (Number) (Time) Per _____

☆ U.S. Government Printing Office: 1984—431-613/6249

~~CONFIDENTIAL~~

that he first met the employee thirty-six or thirty-eight years ago. [redacted] stated that he has known the employee both as a friend and as a patient over the years. [redacted] stated that he is a medical doctor and that he has been employee's family doctor for the last thirty-six or thirty-eight years. [redacted] stated that he has always respected the employee and that he considers the employee to be a very loyal and a very good individual. [redacted] stated that in all the years that he has known the employee, he has never had any reason to distrust the employee or to think poorly of him. [redacted] stated that he would "trust him one hundred percent." [redacted] stated that the employee is an attorney but that he is financially very well off and that he has effectively retired from his law practice and that his son has basically inherited the law practice. [redacted] stated further that the employee has an avid interest in political assassinations, especially the assassination of President KENNEDY and that, because of his financial background and his independent nature, the employee is able to devote a great deal of his time being independently employed in the pursuit of writing and studying political assassinations. [redacted] stated that the employee is a very good man and that he is also very reliable and responsible. [redacted] stated that the employee has a good reputation both professionally and with his social friends. [redacted] stated that he considers the employee to be a very loyal American and that he considers him to be very patriotic. [redacted] stated that he is very confident that the employee would be able to adaquately handle the trust and confidences which he would encounter in his endeavors and for whatever reason he is seeking his security clearance. [redacted] stated that he assumed that the employee is seeking a security clearance because that would enable him to further conduct his investigations and scholarly research into the field of political assassinations. [redacted] stated that for a number of years, the employee has been very interested in studying the assassination of President KENNEDY and trying to develop another theory behind who the assassin was. [redacted] stated that he did not know anything of a derogatory nature concerning either the employee, his associates or any organizations to which the employee might belong. [redacted] also stated that he knew that the employee did not use illegal drugs and he also stated that the employee does not abuse alcohol. [redacted] advised that the employee is a diabetic and that he has to severely restrict his intake of alcohol. [redacted] stated that he would recommend the employee for any necessary security clearances because he feels the employee is a very trustworthy and patriotic individual and that, in no way, would he constitute any threat to national

b6
b7C

CONFIDENTIAL

security. [redacted] also stated that the employee could be safely entrusted with any confidential matter which he would be able to examine in the course of his research. b6 b7C

MISCELLANEOUS

Divorce Verification

On August 9, 1984, IA [redacted] caused a search to be made of the files of the Arlington County Circuit Court, Alexandria, Virginia. b6 b7C

The files contained chancery file number 15635 which revealed that on May 26, 1965, the complainant ELIZABETH FENSTERWALD, 2016 North Adams Street, Arlington, Virginia, filed a bill of complainant against the defendant, BERNARD FENSTERWALD, JR., 883 North Kentucky Street, Arlington, Virginia, for a divorce on the grounds of having lived separate and apart without any cohabitation and without interruption since February, 1963.

The parties were lawfully married on June 4, 1947, in Alexandria, Virginia. There was one child born of said marriage, to wit: [redacted], who is in the custody of the defendant. b6 b7C

On August 19, 1965, the complainant was granted a final decree of divorce from the defendant on the grounds stated above. The defendant was granted custody of the child with reasonable visitation rights reserved for the complainant. The defendant was also ordered to pay $500 per month for alimony onto the complainant as well as the sum of $250 to MRS. ALLANSON (mother-in-law), Alexandria, Virginia, in lieu of additional payments to complainant for the support of MRS. ALLANSON.

The file contained no additional pertinent information.

CONFIDENTIAL

VZCZCLON234 2991238

P 250809Z OCT 84

FM LEGAL ATTACHE LONDON (77D-939)(RUC)

TO DIRECTOR FBI (77-NEW) PRIORITY

BT

UNCLAS/E F/T O

BERNARD FENSTERWALD, JR.; NCPI. OO: BUREAU

BY LETTER RECEIVED OCTOBER 24, 1984 DR. R.D. LETHBRIDGE, FITZWILLIAM COLLGE, UNIVERSITY OF CAMBRIDGE, CAMBRIDGE, ENGLAND, ADVISED THAT ACCORDING TO COLLEGE RECORDS APPLICANT WAS ENROLLED FOR THE 1954-55 ACADEMIC YEAR, AND THAT APPLICANT SUBSEQUENTLY WITHDREW FROM THE COURSE OF STUDY FOR HIS M.LITT. DEGREE. FITZ-WILLIAM COLLEGE COULD PROVIDE NO FURTHER INFORMATION WITH REGARD TO APPLICANT'S ATTENDANCE.

General Applicants Unit, Room 5155
TL 233

ADMINISTRATIVE:

REBUTEL TO LONDON SEPTEMBER 18, 1984. 77-44206-56

ABOVE MATTER WAS HANDLED BY THE SECURITY OFFICE, AMERICAN EMBASSY, LONDON. INFORMATION WAS ONLY PROVIDED AFTER NUMEROUS INQUIRIES BY THAT OFFICE.

BT

NOT RECORDED
APR 26 1985

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/11/94 BY 5660 SLD/dmj
CA # 94-0655 HHG

MNNN

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attention: [redacted])

Date December 14, 1984

b6
b7C

From : [redacted]
Acting Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : SECURITY CLEARANCE FOR
CONTRACT PERSONNEL
RE: BERNARD FENSTERWALD, JR.

INFORMATION MEMORANDUM

Reference FBI memorandum, dated November 9, 1984, captioned as above.

Records on file at the ARLINGTON COUNTY CIRCUIT COURT, Alexandria, Virginia, revealed that ELIZABETH FENSTERWALD, filed for divorce from BERNARD FENSTERWALD, JR., on May 26, 1965. On August 19, 1965, ELIZABETH FENSTERWALD was granted a final divorce from BERNARD FENSTERWALD, JR., on the grounds of living apart, without cohabitation or interruption, since February, 1963.

This completes the background investigation of BERNARD FENSTERWALD, JR.

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

Memorandum

12356 4.3(a)(b) 17.96(e)

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date 3/15/88

b6
b7C

From : Gary L. Stoops, Security Programs Manager (SPM)
Federal Bureau of Investigation (FBI)

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

ACTION MEMORANDUM

Reference FBI memoranda to DOJ dated 11/9/84 and 12/14/84, and telephone conversation between [redacted] of your staff and [redacted] Freedom of Information and Privacy Act Section, Records Management Division (RMD), FBIHQ, 12/17/87.

b6
b7C

In accordance with Department Order 2620.6, entitled "Procedures for Requesting a Department of Justice Security Clearance for Non-Contractor Personnel Outside the Executive Branch" a "Top Secret" security clearance is being requested for the below listed individual:

BERNARD FENSTERWALD
DPOB: August 2, 1921
Nashville, Tennessee
SSAN: 414-22-1934
BUSINESS ADDRESS:
Fensterwald Associates
Arlington, Virginia

On May 16, 1985, BERNARD FENSTERWALD, JR., as an "historical researcher," made a specific request to the FBI to examine certain file(s) from the FBI's list of JFK assassination files, which involves National Security Information (NSI).

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

3-17-88

Memorandum from Gary L. Stoops to Mr. D. Jerry Rubino
Re: Bernard Fensterwald, Jr.

BERNARD FENSTERWALD, JR. was the subject of a favorable applicant type background investigation by the FBI in 1984 entitled, "Request for Expedite Background Investigation Regarding Bernard Fensterwald, Jr."

Based on recent telephonic conversation with DOJ, D. Jerry Rubino Department Security Officer, requested that the FBI update FENSTERWALD's 1984 investigation by conducting a name and fingerprint check on him and submit the results and the request for a "Top Secret" security clearance to DOJ, Security Officer, in writing.

The central files of the FBI disclosed that besides FENSTERWALD's 1984 investigation, he was the subject of two other favorable applicant-type investigations by the FBI, one in 1949 entitled, "Bernard Fensterwald, Jr., Departmental Applicant-Anti-Trust Division," and one in 1959 entitled, "Bernard Fensterwald Jr., Special Inquiry - Senate Judiciary Committee."

No other pertinent information was contained in our files.

A review of records, Identification Division, FBI Headquarters was negative regarding BERNARD FENSTERWALD, JR.

DOJ Security Office is requested to furnish the appropriate Security Briefing Package to the SPM, FBI regarding BERNARD FENSTERWALD, JR.

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date July 8, 1988

b6
b7C

From : Gary L. Stoops, Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

INFORMATION MEMORANDUM

Reference DOJ memorandum, dated March 17, 1988, captioned "Request for a Top Secret Clearance."

Enclosed are the signed DOJ Acknowledgment form and National Security Information Briefing Acknowledgment form for Fensterwald.

This completes Bernard Fensterwald, Jr.'s, background investigation.

When Fensterwald no longer requires access to national security information, you will be advised.

Enclosures (2)

RETURNED PER DOJ AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

U.S. Department of Justice

MAR 17 1989

Washington, D.C. 20530

Dear Bernard Fensterwald, Jr.:

Subject: Access to DOJ Classified National Security Information

In accordance with 28 CFR Part 17, this office has granted you a Top Secret clearance for access to classified National Security Information and material classified up to and including Top Secret by the Department of Justice (DOJ). This clearance is limited to those documents for which you have a need-to-know.

This clearance is limited to information or material classified by or in the custody of the DOJ and information or material related to the performance of your duties only and is contingent upon your becoming familiar with and your agreement to comply with and adhere to the provisions of the enclosed regulation, when handling classified information.

Accordingly, you are requested to review the enclosed regulation and to sign the certification as set forth below.

Sincerely,

D. Jerry Rubino
Department Security Officer

Enclosure

To: Department Security Officer
Room 6525, Main Justice Building

This is to certify that I will read and will become familiar with the subject regulation. I shall comply with the requirements thereof.

Name: B. J. Fensterwald Jr. Date: 6/15/88

Note:

Please return this original signed document in its entirety.

RETURNED FOR DOJ AUTHORITY
DELEGATED TO SPM [illegible]
RETAINED BY FBI

U.S. Department of Justice

Washington, D.C. 20530

NATIONAL SECURITY INFORMATION (NSI) BRIEFING ACKNOWLEDGMENT

I, the undersigned, have received a briefing explaining my obligation to fully protect classified ~~SCI~~ NSI and sanctions that may result from unauthorized disclosures.

~~SCI~~ NSI ACCESS: Top Secret

DATE BRIEFED: 6/15/88

PRINTED NAME: Bernard Fensterwald, Jr.

SIGNATURE: B J Fensterwald Jr

SOCIAL SECURITY NO: 414-22-1934

ORGANIZATION: assassination archives + Research Center

WITNESS: [redacted] b6 b7C

ORGANIZATION: FBI

AUTHORITY TO [illegible] AUTHORITY
DELEGATED TO SPM. TO BE
RETAINED BY FBI.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1319244-0

Total Deleted Page(s) = 4
Page 2 ~ Duplicate;
Page 18 ~ b1 - per Army;
Page 19 ~ b1 - per Army;
Page 20 ~ b1 - per Army;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF 2-9-56 DATE

CONFIDENTIAL

CLASS. & EXT. BY 638 URTSW/sp
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 7-16-82

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Mr. Tolson
Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Mason
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Nease
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

AIRTEL

FBI WASH FIELD (X)U

2/23/56 (C) (U)

DIRECTOR

BERNARD FENSTERWALD, Jr.
IS-R (C) (U)

A highly confidential source, who has furnished reliable info in the past, whose identity may not be disclosed, (documentation , anonymous), advised on 2/21/56, that [redacted] (U) b3 b7E

According to source, [redacted] (U) b3 b7E

WFO indices reflect no record of subject's wife. (X)U

Sub believed identical with subject of case captioned "BERNARD FENSTERWALD, Jr., Dept. Appli, Anti-Trust Division." Bufile 77-44206. Memphis note Butel dtd 8/18/49, which reflects appli resided Clarendon Ave., Nashville Tenn. WFO investigation of appli in 1949, revealed no pertinent derogatory info.

The criminal files of the Metropolitan Police Dept., WDC, checked by SE [redacted] 2/21/56 (C) revealed no record of subject. Traffic records reflect sub has record of four parking violations with $3.00 fine paid in each instance. (X)U (U) b6 b7C

Files of D. C. Credit Bu as reviewed by SE [redacted] 2/21/56, reflect credit report of 6/23/54, on Mrs. ELIZABETH FENSTERWALD, age 30, husband BERNARD FENSTERWALD, Jr.. Report reflects husband is native of Nashville, Tenn., former student Harvard Univ., LLB 6/49, and employed with (X)U (U) b6 b7C

3 - Bureau
2 - Memphis
2 - WFO (105-new)
1 - [redacted]
(7)

RECORDED - 105-44852-1 b7E

WFO:slm

FEB 29 1956 (C) (U)

Mr. Belmont

FBI - INJUSTICE RECD BELMONT

AIRTEL

CONFIDENTIAL

Dept. of State since 1/50. Residence revealed as 851 N. Lexington St., Arlington, Va. Previous residence 2016 F. St., N.W, WDC. No unfavorable info regarding credit of sub and wife. It is noted source advised wife of sub is named BLANCHE. (X)U

Current State Dept. directory lists BERNARD FENSTERWALD, Office of Assistant Legal Advisor, United Nations Affairs, Rm 210 State Annex #7, Tel. extension 4566. This info is confirmed by telephonic inquiry of SA [redacted], with State Dept. info on 2/21/56. (X) (U)

b6
b7C

Memphis will check files and advise Bu and WFO of any derogatory info contained therein. (X) U

In absence of info indicating sub has been granted or authorized a Soviet visa, no further action is being taken by WFO in this matter, UACB. C. (X) U

(X) (U)

LAUGHLIN

LBL

[FEB 52 2 00 PM 22] (X) (U)

F B I

~~CONFIDENTIAL~~

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

G. I. R.

FBI

~~CONFIDENTIAL~~ AIR-TEL

Date: February 28, 1956 (C) (U)

Transmit the following message via _____

(Priority or Method of Mailing)

Mr. Tolson
Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Mason
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Nease
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

From SAC, MEMPHIS

To: DIRECTOR, FBI

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
7/20/94 Classified by 5668 SUD/dmg
Declassify on: OADR
CA #94-0655 HHG

BERNARD FENSTERWALD, JR.; IS - R. (C) (U)

Re WFO air-tel 2/23/56. (C) (U)

Indices this Office negative except report of SA FRANCIS W. NORWOOD, 8/26/49, to Memphis, captioned "BERNARD FENSTERWALD, JR., DEPARTMENTAL APPLICANT - ANTITRUST DIVISION," Bufile 77-44206. This report contains no derogatory information regarding loyalty or security except that names of Mrs. B. FENSTERWALD, JR., and ANN FENSTERWALD, Belle Meade Park, Nashville, Tenn., were on list of delegates and members of the SCHW at third meeting, April 19-21, 1942, at Nashville. Associates of FENSTERWALD family in Nashville recommended them highly in 1949 and speculated that any membership of the family in the SCHW was due to prominence of that organization in Nashville at that time and the fact that various prominent Nashville citizens supported it.

It will be noted that subject's mother was BLANCHE FENSTERWALD and he had a sister ANN FENSTERWALD who resided in the Belle Meade Section of Nashville.

RUC.

Mr. Belmont

Airtel ✓
Teletype
A. M.
A. M. S.
Spec. Del.
Reg. Mail
Registered

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF DATE 10/2/79 Class

10/1/79 CLASS. & EXT. BY SP-1 7-16-82 / 8-23-94 5668 SUD/dmg
REASON - FCIM 11, 1-2. 4. 2.
DATE OF REVIEW 10/1/89 DSK/ghw

PIPER

105-44852-2

RECORDED-52 INDEXED-52 MAR (C) (U)

3 - Bureau (RM)
2 - Washington Field (105-NEW) (RM) (C)
1 - Memphis (77-882)
1 - Memphis [redacted] (C) (U)
JHK:mjh
(7)

b7E

FBI/DOJ

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

~~CONFIDENTIAL~~

71 MAR 8 1956 (C) (U)

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81581

Office Memorandum • UNITED STATES GOVERNMENT

CONFIDENTIAL

TO : Mr. Nease DATE: May 23, 1958

FROM : M. A. Jones

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE. DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE 8/23/94 5668 SLD/dmy

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Holloman
Gandy

SUBJECT: BERNARD FENSTERWALD, JR.
ADMINISTRATIVE ASSISTANT TO
SENATOR THOMAS C. HENNINGS, JR. (DEM.-MO.)

Per your request, the following data from Bufiles has been obtained re captioned individual.

Fensterwald was the subject of a departmental applicant investigation for the Anti-Trust Division in 1949. He was born in 1921 at Nashville, Tennessee, and graduated from Harvard Law School in 1949. No derogatory information re Fensterwald was developed, except it was ascertained that the names of Mrs. B. Fensterwald and Ann Fensterwald, Belle Meade Park, Nashville, Tennessee, appeared on a list of delegates of the Southern Conference for Human Welfare (cited organization) in 1942. Fensterwald had a sister named Ann and mother named Blanche, but it was not conclusively established that they were the individuals who attended the above-mentioned conference. (77-44206)

[redacted] b3 b7E

105-50350) (U) 105-44852, (U)

CLASS. & EXT. BY SP-4 DSK KBW 10/11/79
REASON - FCIM 11, 1-2.4.2 (2) (3)
DATE OF REVIEW 10-1989

[redacted] b6 b7C b7D

Fensterwald was also involved in the request to the Bureau from the Senate Subcommittee on Constitutional Rights for a list of instances wherein we had furnished information to members of Congress. It will be recalled that Nichols talked to Senator Hennings in Fensterwald's presence and that Hennings stated that the request was improper and offered his apologies. Mr. Nichols reported that since that occasion Fensterwald had gone out of his way to be helpful to the Bureau. (66-18621-269)

REC- 85 105-44852-3

RECOMMENDATION: None. For information.

20 JUN 10 1958

1 - Mr. Nease

FBS:lmh
(3)

1-26-94
Classified by 5668 SLD/dmy
Declassify on: OADR
CA 94-0655 HAG

50 JUN 13 1958

CRIM REC

CONFIDENTIAL

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 1/7/59

FROM : G. A. Nease

Tolson
Belmont
Mohr
Parsons
Rosen
Tamm
Trotter
Nease
Tele. Room
Holloman
Gandy

SUBJECT: BERNARD FENSTERWALD
ADMINISTRATIVE ASSISTANT TO
SENATOR HENNINGS

I have been reliably informed that the above individual is now out as Administrative Assistant to Hennings and that his place will probably be filled by Gordon Harrison, who is presently Chief Clerk and Counsellor of the Senate Rules Committee.

Fensterwald has been no friend of the FBI. He has a bad background and is looked upon as a leftist. While I do not know Harrison, I understand that he is a very sound and substantial individual, is from Arizona and is looked upon as a Senator Hayden man. If he does take the position with Hennings, I shall make it a point to get acquainted with him.

1 - Mr. Jones

GAN:hpf:ejp
(3)

Agree 5d08 SLD dmj 7/26/94 CA# 94-0655
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/1/79 BY SP-1 DSK/ghw

105-4485-2
NOT RECORDED
145 JAN 12 1959

12 JAN 9 1959

CRIME REC.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Belmont

DATE: July 20, 1965

FROM : J. H. Gale

SUBJECT: SENATE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURES (LONG COMMITTEE) SENATE JUDICIARY COMMITTEE

On the late evening of July 20, 1965, [redacted] of the Organized Crime and Racketeering Section of the Department, confidentially advised that in connection with the Long Committee hearings he has been in attendance at certain of the sessions in which Internal Revenue Service agents were questioned by Long Committee investigators. According to [redacted], the press in attendance at these sessions have frequently raised with Bernard Fensterwald, Committee Counsel, the next areas of inquiry that the Committee will investigate.

b6
b7C

Some reporters have inquired of Fensterwald whether the Committee intends to expand its inquiry into the activities of the security agencies. In response to a question as to whether the Committee intended to inquire into FBI activities, Fensterwald told the reporter to direct his question to Senator Long, inasmuch as the FBI was a "sacred cow."

According to [redacted], the Committee intends to pursue Internal Revenue Service activities in Miami, San Francisco and Brooklyn, New York.

b6
b7C

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10/11/79 BY SP-1 DSC/glw

Agree 5068. 7/24/94 CA #94-0665

ACTION

As additional information is received in this connection, it will be brought to your attention.

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Belmont
1 - Mr. Gale
1 - Mr. McAndrews
1 - Mr. Kelly

105-44852

RECORDED
JUL 29 1965

16 JUL 28 1965

McA:ral
(8)

54 AUG 5 1965

ORIGINAL FILED IN 62-90824-8

(C) (10-1-71) b1 per Army

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 04-07-2015 BY ADG/C32W33B91

13003 3 pgs

FBI NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

~~CONFIDENTIAL~~

Memorandum

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

CLASSIFIED BY: SP4-BJA-MLB
REASON: 1.5 (c,d)
DECLASSIFY ON: X1, X6
12-6-96
#35159

TO : Acting Director, FBI ( ) DATE: 11/13/72

FROM : Legal Attache, Bonn (105-7501-1779) (X) (RUC)

SUBJECT: BERNARD FENSTERWALD, JR.
IS-EG (C)
(OO:WFO) (U)

7-16-82 / 8/23/94 5668 SLD/dmg

7/26/94 5668 SLD/dmg
Classified by
Declassify on: OADR
CA# 94-

File copy in 62-112697

(C) b1 per Army

Request enclosure(s) _____ be translated ☐ in summary ☐ verbatim and enclosure(s) and translation sent to interested field division.

(C) b1 per Army

REMARKS: (all Army info) Class. retained per Army letter 1-16-80
REASON - FCIM 11, 1-2. 4.2 (2) (3)
DATE OF REVIEW 11-13-92

(C) b1 per Army

Reporting and classification instructions must be stricted observed on Form

UNRE COPY AND COPY ENCL FILED IN

(C)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

ENCLOSURE ST-102 REC-73 105-44852 - 4

REC 17

NOV 20 1972

3 X - Bureau (Enc. 1)
1 - XXX Foreign Liaison Desk
2 - Bonn
1 - 105-7501-1779
1 - [redacted]

ESPIONAGE (U)

b7E

TLC/jms
(5)

XEROX

DEC 14 1972

~~CONFIDENTIAL~~

CONFIDENTIAL MATERIAL ATTACHED

BON 105-7501-1779 (U)

A check of Bonn's indices reflected a reference to the "Committee to Investigate Assassinations, Inc.," 927 15th St., N.W., Washington, D.C., which came to attention in connection with Bonn's destroyed file regarding "Committee for "The Investigation of the Three Assassinations': Information Concerning - Miscellaneous (FPC)" (Bufile 163-26234). Bonn indices are negative concerning subject. (U)

[redacted] Rev. 8-15-72)

(C)

b1 per Army

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-07-2015 BY ADG/C32W33B91

~~CONFIDENTIAL~~

CLASSIFIED DECISIONS FINALIZED BY
DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/23/94 5668 SLD/dmj

[redacted] (C)

b1 per Army

CLASSIFIED BY: SP4-BJA-NLB
REASON: 1.5 (c,d)
DECLASSIFY ON: X1,X6
#351592
7-9-91

7/26/94
Classified by 5668 SLD/dmj
Declassify on: OADR
CA # 94-0655 HHG

CLASS. & EXT. BY ~~G33 VRW~~
REASON-RCIM II, 1-2 4.2 2
DATE OF REVIEW 7/9-91
per Army letter 1-16-80

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

~~CONFIDENTIAL~~

CLASSIFIED BY another government agency
EXEMPT FROM GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
EXEMPTION CATEGORY II
AUTOMATICALLY DECLASSIFIED ON indefinite

XEROX
DEC 14 1972

105-47532-4

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

FBI

~~CONFIDENTIAL~~ Date: 9/9/74 (C) (U)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL

CLASS. & EXT. BY 638 URTEB
REASON-FCIM II (1-2.4.2)
DATE OF REVIEW 4-29-94

TO: DIRECTOR, FBI

CONFIDENTIAL

FROM: SAC, WFO (105-New) (RUC)

UNSUB; [redacted] (C) (U)

[redacted]; Driver of Ford Thunderbird Bearing 1974 Virginia License DGM 693

IS-R
(OO:AX)

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF 10/2/74 DATE

~~CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)~~
~~DATE: 8/23/94 5068 SLD/dmg~~

7.11.82

[redacted]. License is registered to [redacted] and BERNARD FENSTERWALD, JR., both of 811 Prince Street, Alexandria, Virginia, for 1956 Ford Thunderbird Sedan, PER (C) (U)

b6
b7C
b7E

VEIN CHECK.

~~CONFIDENTIAL~~

105-44852-5

Classified by 6121
Exempt from GDS, Category 3
Date of Declassification Indefinite

Declassify on: 5068 SLD/dmg
7/26/94
Classified by 5068 SLD/dmg
DECLASSIFIED BY 60324 UC/baw/sr
CIA #94-0554HC

(2) - Bureau
2 - Alexandria
3 - WFO
(1- [redacted] (C) (U)
(1-105-15080)

REC 22
EX-103
MCT-23
CH 4T

b7E

RGL/jgk
(7)

10/1/79
CLASS. & EXT. BY SP-1 RSK/gbw
REASON - FCIM 11, 1-2, 4.2 (2)(3)
DATE OF REVIEW 4/29/94

SEP 17 1974 (C) (U)

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

~~CONFIDENTIAL~~

U.S.Government Printing Office: 1972 — 455-574

UNSUB described as follows: (C) (U)

Race:	White
Sex:	Male
Age:	45-48
Height:	5'9"
Weight:	165
Hair:	Dark
Complexion:	Medium
Attire:	White shirt, blue sport coat, gray plaid slacks, black shoes, glasses

(U) (C)

[redacted] b7E

[redacted] (C) (U)

WFO indices contain no information identifiable with [redacted] or captioned license number. WFO (U) b6 b7C indices reveal that BERNARD FENSTERWALD, JR., is the subject of WFO file 105-15080, BERNARD FENSTERWALD, JR., IS-EG. He (U) is a lawyer associated with Fensterwald & Ohlhausen, 905 16th Street, WDC and is the director of "Committee to Investigate Assassination." 811 Prince St., Alexandria, VA

Alexandria handle in accordance with instructions set forth in Section 105-N (C) Manual of Instructions. Furnish (U) WFO one copy of all communications containing the results of investigation for captioned 105 file. (C) U

By routing slip, WFO will furnish office of origin [redacted] b7E

[redacted] (C) (U)

~~CONFIDENTIAL~~

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

TO : DIRECTOR, FBI

~~CONFIDENTIAL~~ DATE: 10/22/74 (C) (U)

FROM : SAC, ALEXANDRIA (105-2679) (C)

~~CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC) DATE: 8/23/94~~
~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

SUBJECT: UNSUB;
[redacted]
(C) (U)
Driver of Ford Thunderbird
Bearing 1974 Virginia License DGM 693
IS - R
(OO: ALEXANDRIA)

b7E

~~CLASS. & EXT. BY SP-1 DSK/ghw 10/11/79~~
~~REASON - FCIM II, 1-2.4.2 (2)(3)~~
~~DATE OF REVIEW 4/29/94~~

7-16-82

Re WFO airtel to Bureau, 9/9/74. (C) (U)

Records of Alexandria, Virginia, Police Department contained no identifiable record pertaining to the registered owners of captioned vehicle as of 9/20/74. Registered owners of captioned vehicle are [redacted] and BERNARD FENSTERWALD, Jr., 811 Prince Street, Alexandria, Virginia. (C) (U)

b6
b7C

~~Classified by 5468 SP/dmg 7/26/94~~
~~Declassify on: OADR~~
~~CA#94-0655 HHG~~

Alexandria indices reflect that The Washington Post newspaper dated 10/31/71, page 2, described BERNARD FENSTERWALD as a former counsel to the Administrative Practices Subcommittee of the Senate Judiciary Committee.

Alexandria letter to Bureau dated 8/6/71 entitled "Committee to Investigate Assassinations, 927 15th Street, N. W., Washington, D. C.; Miscellaneous Information Concerning" described BERNARD FENSTERWALD, Jr., as the Executive Director of the Committee to Investigate Assassinations.

EXCLUDED REC-75 105-170061-2

Alexandria letter to Bureau dated 9/10/71, entitled

[redacted]

b6
b7C
b7E

(C) (U) 105-44852-6

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OR DATE

2-Bureau
2-WFO
(1-105-126536)
(1-105-15080)
1-Alexandria (105-2679)
RMC:ajt
(5)

(C) (U)

~~CLASSIFIED BY 3695~~
~~EXEMPT FROM GDS, CATEGORY 1 2 3 4~~
~~DATE OF DECLASSIFICATION: INDEFINITE~~

OCT 25 1974

~~CONFIDENTIAL~~

NOV 25 1974

~~CONFIDENTIAL~~

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

CONFIDENTIAL

AX 105-2679

WFO has advised that BERNARD FENSTERWALD, Jr., is subject of WFO file 105-15080, a lawyer associated with Fensterwald and Ohlhausen, 905 16th Street, Washington, D. C., and is Director of "Committee to Investigate Assassinations."

Records of the Credit Bureau, Inc., Washington, D. C., were checked on 9/30/74, and indicated that he, BERNARD FENSTERWALD, Jr., is an attorney and partner with the firm, Fensterwald and Ohlhausen, 910 16th Street, N. W., Washington, D. C., since January, 1969. (U)

Records of the Arlington, Virginia, Police Department indicate that BERNARD FENSTERWALD, Jr., 811 Prince Street, Alexandria, Virginia, born 8/2/21, SSAN 414-22-1934, white male, height 5'7", weight 140 pounds, brown hair and green eyes, was fined for speeding by that department on 1/20/52, and on 5/8/69, was warned for allowing a dog to run at large. The current Hill's City Directory for Alexandria, Virginia, indicates that BERNARD FENSTERWALD, Jr., 811 Prince Street, Alexandria, is an attorney in Washington, D. C.

In view of the similarities of UNSUB to the registered owner, BERNARD FENSTERWALD, Jr., it is considered likely that he was the UNSUB [redacted]. (U) b7E

UACB, no further investigation will be conducted [redacted] b7E

CONFIDENTIAL

CONFIDENTIAL

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1319244-0

Total Deleted Page(s) = 9
Page 3 ~ Duplicate;
Page 4 ~ Duplicate;
Page 5 ~ Duplicate;
Page 6 ~ Duplicate;
Page 16 ~ Duplicate;
Page 17 ~ Duplicate;
Page 18 ~ Duplicate;
Page 23 ~ Referral/Direct - 259-HQ-764 Serial 4/NCIS;
Page 25 ~ b7E;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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4-900 (3-2-88)

Memorandum

Exec AD Adm.	
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Exec AD LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgnt.	
Tech. Servs.	
Training	
Off. Liaison & Int. Affs.	
Telephone Rm.	
Director's Sec'y	

AHM
GAS
JAB

To : Mr. A. H. McCreight
Assistant Director
Records Management Division (RMD)

Date 6/21/88

From : Mr. G. L. Atkins
Section Chief
Operations Section, RMD
encl 1
BERNARD FENSTERWALD JR.

Subject : SECURITY CLEARANCE INVESTIGATION PROGRAM
SPECIAL PROGRAMS - FREEDOM OF INFORMATION, REQUEST FOR HISTORICAL ACCESS.

PURPOSE: To initiate the captioned background investigation.

RECOMMENDATION: That a file for the captioned matter be opened. There is an existing 77-44206 file opened on the captioned individual. Records Section, please handle accordingly.

APPROVED:	Adm. Servs.	Laboratory
	Crim. Inv.	Legal Coun.
Director		Off. of Cong. & Public Affs.
Exec. AD-Adm.	Ident.	Rec. Mgnt. GAS
Exec. AD-Inv.	Inspection	Tech. Servs.
Exec. AD-LES	Intell.	Training

DETAILS: A request has been received from the DOJ Division that a security clearance be granted for the above individual in connection with the captioned program. In keeping with this request, a background investigation will be initiated and coordinated by a representative of the Industrial Security and Clearance Investigations Unit, Operations Section, Records Management Division. It is therefore recommended that a new file be opened.

Enclosure

259-
1 - Industrial Security and Clearance Investigations Unit (Attn: [redacted], Room 4252)

b6
b7C

EFW: (2)

1- ENCLOSURE

BE-44

N259-764-1

12 JUN 1988

[redacted]

SECURITY CLEARANCE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

FBI/DOJ

JUN 22 1988 GMB

Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted]

3/15/88

b6
b7C

Gary L. Stoops, Security Programs Manager (SPM)
Federal Bureau of Investigation (FBI)

BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

ACTION MEMORANDUM

Reference FBI memoranda to DOJ dated 11/9/84 and 12/14/84, and telephone conversation between [redacted] of your staff and [redacted], Freedom of Information and Privacy Act Section, Records Management Division (RMD), FBIHQ, 12/17/87.

b6
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In accordance with Department Order 2620.6, entitled "Procedures for Requesting a Department of Justice Security Clearance for Non-Contractor Personnel Outside the Executive Branch" a "Top Secret" security clearance is being requested for the below listed individual:

BERNARD FENSTERWALD
DPOB: August 2, 1921
Nashville, Tennessee
SSAN: 414-22-1934
BUSINESS ADDRESS:
Fensterwald Associates
Arlington, Virginia

On May 16, 1985, BERNARD FENSTERWALD, JR., as an "historical researcher," made a specific request to the FBI to examine certain file(s) from the FBI's list of JFK assassination files, which involves National Security Information (NSI).

259-764 X1

259A - Bernard Fensterwald, Jr.

1 - Mr. Moschella
1 - [redacted]
1 - Mr. Stoops
1 - [redacted]
1 - (Attn: [redacted]

V-79

APR 2 1990

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 56685LD/dmj

b6
b7C

SEE NOTE PAGE 2

Exec AD Adm. 1 –
Exec AD Inv. 1 –
Exec AD LES 1 –
Asst. Dir.: 1 –
Adm. Servs. 1 –
Crim. Inv. 1 –
Ident. 1 –
Insp. 1 –
Intell. ____
Lab. ____
Legal Coun. ____
Off. Cong. & Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Telephone Rm. ____
Director's Sec'y ____
MAIL ROOM ☐

Work-up to pick up by 3-15-88 by [illegible]

Memorandum from Gary L. Stoops to Mr. D. Jerry Rubino
Re: Bernard Fensterwald, Jr.

BERNARD FENSTERWALD, JR. was the subject of a favorable applicant type background investigation by the FBI in 1984 entitled, "Request for Expedite Background Investigation Regarding Bernard Fensterwald, Jr."

Based on recent telephonic conversation with DOJ, D. Jerry Rubino Department Security Officer, requested that the FBI update FENSTERWALD's 1984 investigation by conducting a name and fingerprint check on him and submit the results and the request for a "Top Secret" security clearance to DOJ, Security Officer, in writing.

The central files of the FBI disclosed that besides FENSTERWALD's 1984 investigation, he was the subject of two other favorable applicant-type investigations by the FBI, one in 1949 entitled, "Bernard Fensterwald, Jr., Departmental Applicant-Anti-Trust Division," and one in 1959 entitled, "Bernard Fensterwald Jr., Special Inquiry - Senate Judiciary Committee."

No other pertinent information was contained in our files.

A review of records, Identification Division, FBI Headquarters was negative regarding BERNARD FENSTERWALD, JR.

DOJ Security Office is requested to furnish the appropriate Security Briefing Package to the SPM, FBI regarding BERNARD FENSTERWALD, JR.

NOTE: Letter to DOJ in response to E. P. Moschella memorandum to Mr. Stoops, dated 1/5/88, captioned "FOI Request of Bernard Fensterwald, Jr., for Historical Access" requesting the Operations Section, RMD to update FENSTERWALD's 1984 investigation and request the issuance of a "Top Secret" security clearance to FENSTERWALD by DOJ.

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date July 8, 1988

b6
b7C

From : Gary L. Stoops, Security Programs Manager
Federal Bureau of Investigation (FBI)

SLABS
SEC'D
SER
REC

Subject : BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

INFORMATION MEMORANDUM

Reference DOJ memorandum, dated March 17, 1988, captioned "Request for a Top Secret Clearance."

Enclosed are the signed DOJ Acknowledgment form and National Security Information Briefing Acknowledgment form for Fensterwald.

This completes Bernard Fensterwald, Jr.'s, background investigation.

When Fensterwald no longer requires access to national security information, you will be advised.

Enclosures (2)

259-764

1 - [redacted]
(Attn: [redacted])

b6
b7C

RYT:bds (4)
Bds

V-79 259-764-2

APR 2 1990

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmy

Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
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Intell. ____
Lab. ____
Legal Coun. ____
Off. Cong. & Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Off. Liaison & Int. Affs. ____
Telephone Rm. ____
Director's Sec'y ____

MAIL ROOM ☐

pre Mail-mailed 7-8-88

Memorandum

Subject	Date
Request for a Top Secret Clearance	MAR 17 1988

To

Gary L. Stoops
Security Programs Manager
Federal Bureau of Investigation

From

D. Jerry Rubino
Department Security Officer

This responds to your memorandum dated March 15, 1988. A Top Secret security clearance is approved for Bernard Fensterwald, Jr.

This clearance and access approval is limited to that information necessary for the above-mentioned individual to perform the duties of a historical researcher.

This clearance is further conditioned upon this individual being briefed for access to National Security Information (NSI), and signing the Briefing Acknowledgment Form. In addition, this individual has signed the acknowledgment letter that he has read and is familiar with the regulation concerning classification, declassification, and safeguarding of NSI as described in 28 CFR Part 17. A copy of the Briefing Acknowledgment Form, the acknowledgment letter and the above-referenced regulation is attached. The original Briefing Acknowledgment Form, and acknowledgment letter should be signed and forwarded to this office.

If you have any questions on this matter, please have a member of your staff call [redacted] on [redacted]. b6 b7C

Attachments —

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 56068 SLD/dmj

4/4EC

U.S. Department of Justice

MAR 17 1988

Washington, D.C. 20530

Dear Bernard Fensterwald, Jr.:

Subject: Access to DOJ Classified National Security Information

In accordance with 28 CFR Part 17, this office has granted you a Top Secret clearance for access to classified National Security Information and material classified up to and including Top Secret by the Department of Justice (DOJ). This clearance is limited to those documents for which you have a need-to-know.

This clearance is limited to information or material classified by or in the custody of the DOJ and information or material related to the performance of your duties only and is contingent upon your becoming familiar with and your agreement to comply with and adhere to the provisions of the enclosed regulation, when handling classified information.

Accordingly, you are requested to review the enclosed regulation and to sign the certification as set forth below.

Sincerely,

D. Jerry Rubino
Department Security Officer

Enclosure

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

To: Department Security Officer
Room 6525, Main Justice Building

This is to certify that I will read and will become familiar with the subject regulation. I shall comply with the requirements thereof.

Name: B. Fensterwald Jr. Date: 6/15/88

Note:

Please return this original signed document in its entirety.

4/146C

U.S. Department of Justice

Washington, D.C. 20530

NATIONAL SECURITY INFORMATION (NSI) BRIEFING ACKNOWLEDGMENT

I, the undersigned, have received a briefing explaining my obligation to fully protect classified ~~SCI~~ NSI and sanctions that may result from unauthorized disclosures.

~~SCI~~ NSI ACCESS: Top Secret

DATE BRIEFED: 6/15/88

PRINTED NAME: Bernard Fensterwald, Jr.

SIGNATURE: B J Fensterwald Jr

SOCIAL SECURITY NO: 414-22-1934

ORGANIZATION: Assassination Archives & Research Center

WITNESS: [redacted] b6 b7C

ORGANIZATION: FBI

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

4/146

Memorandum

Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Insp. ____
Intell. ____
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Legal Coun. ____
Off. Cong. &
Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Telephone Rm. ____
Director's Sec'y ____

To Allen H. McCreight

Date 8/31/88

From : G. L. Stoops

Subject : BERNARD FENSTERWALD, JR.
ASSASSINATION ARCHIVES AND RESEARCH CENTER (AARC)
SECURITY AWARENESS BRIEFING

PURPOSE: To advise you MR. BERNARD FENSTERWALD, JR., of the AARC was given a Security Awareness Briefing on 6/15/88 in Room 5641, Records Management Division (RMD), FBIHQ, by Supervisory Special Agent (SSA) [redacted] Security Officer, RMD. b6 b7C

RECOMMENDATIONS: 1. That MR. BERNARD FENSTERWALD, JR., of the AARC, be debriefed by the RMD Security Officer, when access to National Security Information (NSI) is no longer needed.

APPROVED:

Director	Adm. Servs.	Off. of Cong. & Public Affs.	
Exec. AD-Adm.	Crim. Inv.	Off. of Lia. & Intl. Affs.	
Exec. AD-Inv.	Ident.	Rec Mgmt.	
Exec. AD-LES	Inspection	Tech Servs.	
	Intell.	Training	
	Laboratory		
	Legal Coun.		

3 - ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

Enclosure (3)

1 - Mr. McCreight
1 - Mr. Moschella
1 - Mr. Stoops
1 - [redacted]
1 -
1 -
1 -
1 - 259-764

dm (10)

V-79

259-2643

OCT 24 1988

b6 b7C

(CONTINUED - OVER)

SECURITY CLASSIFICATION LIMIT

FBI/DOJ

Memorandum from G. L. Stoops to Mr. McCreight
Re: Bernard Fensterwald, Jr.
Assassination Archives and Research Center (AARC)
Security Awareness Briefing

2. When MR. FENSTERWALD's access is no longer needed, the Unit Chief, Disclosure Unit II, FOIPA Section, RMD, should immediately advise the Security Officer, RMD, to ensure he is debriefed.

APPROVED:

Director	Adm. Servs.	Off. of Cong. & Public Affs.	
Exec. AD-Adm.	Crim. Inv.	Off. of Lia. & Intl. Affs.	
Exec. AD-Inv.	Ident.	Rec. Mgmt.	
Exec. AD-LES	Inspection	Tech Servs.	
	Intell.	Training	
	Laboratory		
	Legal Coun.		

DETAILS: On 6/15/88, MR. BERNARD FENSTERWALD, JR., of the AARC, 918 F Street, Northwest, Washington, D. C. 20035, was given a Security Awareness Briefing by SSA [redacted] Security Officer, RMD. Also present at this briefing were SSA [redacted], Industrial Security and Clearance Investigations Unit, RMD, and [redacted] Miscellaneous Documents Examiner, Freedom of Information and Privacy Acts (FOIPA) Section, RMD. b6 b7C

MR. FENSTERWALD was advised of his obligation not to disclose NSI, to unauthorized individuals, i.e., family members, friends, working associates, and officials who do not have the appropriate clearance and a specific "need-to-know." He was advised any unauthorized disclosure could result in the loss of his clearance(s) and possible criminal sanctions taken against him. Also, MR. FENSTERWALD was advised not to disclose any sensitive or classified information after completion of his project.

SSA [redacted] advised MR. FENSTERWALD any publication which will involve or possibly contain sensitive or classified information must be submitted to the FBI for prepublication review. MR. FENSTERWALD was advised all documents and working papers are to be stored in a Class 5, General Services Administration-approved container at the end of each working day. He was instructed not to remove any notes or papers from the designated work space without prior review by the Document Classification Unit and Disclosure Unit II, RMD. b6 b7C

(CONTINUED - OVER)

Memorandum from G. L. Stoops to Mr. McCreight
Re: Bernard Fensterwald, Jr.
Assassination Archives and Research Center (AARC)
Security Awarerness Briefing

Proper handling of the SACS badge was discussed with MR. FENSTERWALD, as well as what procedures to follow should his SACS badge be misplaced, lost, or forgotten.

MR. FENSTERWALD was shown the Information Security Oversight Office video tape dealing with the safeguarding of NSI. He also signed an NSI briefing acknowledgement witnessed by SSA [redacted]. b6 b7C

Attached are Department of Justice communications requesting MR. FENSTERWALD be briefed in view of his access to NSI while performing duties of a historical reseacher.

It is recommended the Unit Chief, Disclosure Unit II, FOIPA Section, RMD, immediately advise the Security Officer, RMD, when MR. FENSTERWALD's access to NSI is no longer needed to ensure he is debriefed.

Memorandum

To : [redacted]

Date 4/4/91

From : [redacted]

b6
b7C

Subject: BERNARD FENSTERWALD, JR.
ASSASSINATION ARCHIVES AND RESEARCH CENTER (AARC)
SECURITY CLEARANCE

PURPOSE: To advise the Security Programs Unit of the death of Mr. Fensterwald on April 2, 1991.

RECOMMENDATIONS: None. For information only.

DETAILS: In 1988, Mr. Fensterwald was provided a clearance as a historical researcher and was provided a Security Awareness Briefing on 6/15/88.

On 4/3/91, an obituary was contained in the Washington Post advising of the death of Mr. Fensterwald.

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 56068 SLD/dmj

OBITUARIES

Bernard Fensterwald, Lawyer For Watergate Burglar, Dies

By J.Y. Smith
Washington Post Staff Writer

Bernard Fensterwald, 69, a lawyer who directed some highly publicized Senate investigations and later represented James McCord, the Watergate burglar who told a federal judge about the Nixon White House ties to the break-in and wiretapping, died of a heart attack April 2 at Alexandria Hospital.

Mr. Fensterwald, who was stricken at his home in Alexandria, had been in the private practice of law since 1969. He was a senior partner in the firm of Fensterwald & Alcorn, which has offices in Vienna and Arlington.

The son of a prominent family in Nashville, Mr. Fensterwald often attracted controversy. It was suggested from time to time that he had worked for the CIA, and he seemed to relish the air of mystery that this created. He would answer queries about it with vague statements to the effect that there was "no evidence" that he was connected to the agency.

In 1970, he took over the defense of James Earl Ray, the convicted assassin of the Rev. Martin Luther King Jr., and handled his appeals.

A close student of the assassinations of President John F. Kennedy and Robert F. Kennedy, he was an outspoken critic of the Warren Commission's conclusion that there had been no conspiracy in President Kennedy's death. He formed a private Committee to Investigate Assassinations, and at his death he was president of the Assassination Archives and Research Center. The center is a privately funded nonprofit organization in Washington that collects material on the King and Kennedy assassinations.

From 1959 to 1968, Mr. Fensterwald held high staff posts on Senate subcommittees on constitutional amendments, antitrust and monopoly and administrative practice and procedure. He directed investigations of price-fixing, the drug industry and finally of allegedly illegal wiretapping of James R. Hoffa, the president of the Teamsters union.

Despite aggressive examination by Mr. Fensterwald, the Hoffa probe failed to prove wiretapping had been used illegally. But it led to new laws restricting electronic surveillance.

It also helped end the political career of Sen. Edward V. Long (D-Mo.), who chaired the committee for which Mr. Fensterwald worked. It was revealed that the senator had split legal fees with one of Hoffa's lawyers, and he failed in his bid for reelection in 1968.

In 1973, Mr. Fensterwald took on the defense of James McCord, the former security chief of President Nixon's 1972 reelection campaign and one of the five persons arrested in the burglary at the Watergate office building in June of that year.

Having been convicted of the break-in, McCord wrote a famous letter to U.S. District Judge John J. Sirica in which he told how White House and campaign officials had advance notice of the burglary and then sought to cover up their roles in it. The letter gave new impetus to efforts to find high-level officials responsible for it and eventually led to Nixon's resignation.

Mr. Fensterwald was a graduate of Harvard University and its law school and received a master's degree in international law from the School for Advanced International Studies of Johns Hopkins University. He served in the Navy in the South Pacific in World War II.

He was in Washington briefly after the war and moved here permanently in 1950, when he was named assistant to the legal adviser at the State Department. In 1956, he resigned to work for Sen. Estes Kefauver (D-Tenn.) in his campaign as the Democratic nominee for vice president.

In addition to his law practice, Mr. Fensterwald was the founder and president of U-Store Inc. and Records Management Inc., which are private warehouse and record storage companies in the Washington area.

He was a member of the Alexandria Y and helped found its Y's Men. He also was a member of the Historic Alexandria Resource Commission and the Army Navy Country Club.

His marriage to Elizabeth Fensterwald ended in divorce.

Survivors include his wife, Patricia Fensterwald of Alexandria; a son by his first marriage, Bernard Fensterwald III of Reston; three stepchildren, Patrick Marlette of Sacramento, Calif., David Marlette of Falls Church and Margaret Alice Cox of Taipei, Taiwan; a sister, Ann Eisenstein of Nashville; and six grandchildren.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/8/94 BY 5668 SLD/dmj

SEE REVERSE SIDE FOR
ADD. DISSEMINATION

Memorandum

To : Mr. D. Jerry Rubino
Department Security Officer
Department of Justice (DOJ)
(Attn: [redacted])

Date 6-5-91

b6
b7C

From : Gary L. Stoops
Security Programs Manager
Federal Bureau of Investigation (FBI)

Subject :

BERNARD FENSTERWALD, JR.
SECURITY CLEARANCE INVESTIGATIONS PROGRAM
SPECIAL PROGRAMS
FREEDOM OF INFORMATION REQUEST FOR HISTORICAL ACCESS

ACTION MEMORANDUM

Reference is made to DOJ memorandum dated 3-17-88, captioned "Request for a Top Secret Clearance" and FBI memorandum dated 7-8-88, captioned as above.

Referenced DOJ memorandum authorized a "Top Secret" security clearance for FENSTERWALD.

For the information of DOJ, on 4-3-91 an obituary was contained in the Washington Post advising of the death of Mr. FENSTERWALD.

The Department Security Officer is requested to delete FENSTERWALD from the FBI access list of those individuals requiring a security clearance.

259-764
RYT:ryt (3)

Dep. Dir.
ADD Adm.
ADD Inv.
Asst. Dir.:
Adm. Servs.
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Off. of EEO
Off. Liaison & Int. Affs.
Off. of Public Affs.
Telephone Rm.
Director's Office

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DATE 8/8/94 BY 5668 SLD/dmj

ORIGINAL HAND
CARRIED TO D. O. J. BY Courier
6/5/91 4:47

FD-36 (Rev. 12-13-56)

FBI

Date: 3/11/59

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (77-29779)

BERNARD FENSTERWALD, Jr.
SPI
SENATE JUDICIARY COMMITTEE

Rerep SA [redacted] dated 3/10/59. b6 per FBI b7C

[redacted] b3 per CIA
[redacted] as caused to be searched on 3/10/59 by SA [redacted], ONI and interview of Dr. ELLIOTT, mentioned in Boston radiogram 3/10/59, still outstanding. b6 per FBI b7C

(3) - Bureau
1 - WFO
FJH:blb
(4)

AIRTEL

Agree 5668 SLD/dmj 8/5/94
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 2/5/82 Sep/pcfkt

Reference to CIA unclassified per CIA letter 9/4/81

77-44206-30

NOT RECORDED
MAR 12 1959

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 02-03-2016 BY: D27B81S81

CC TO: State
REQ. REC'D. 6-3-64
JUL 6 1964
ANS.
BY:

CLASSIFIED AND EXTENDED BY SP2 TAP/CG/sk
REASON FOR EXTENSION FCIM, II-1
DATE OF REVIEW FOR DECLASSIFICATION 3-20-79
6/21/24

March 20, 1959

8/3/94 Secretary
Declassify on: UNDET
CA #94-0055 HHG

BERNARD FENSTERWALD, JR.

An applicant-type investigation concerning Mr. Fensterwald was conducted by this Bureau in 1949. The information set forth hereinafter was obtained during the 1949 investigation as well as during the current inquiries.

I. BIOGRAPHICAL DATA

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENTAL REVIEW COMMITTEE (DRC). DATE: 8/3/94 Secretary
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

Birth

Bernard Fensterwald, Jr., was born August 2, 1921, in Nashville, Tennessee, the son of Bernard Fensterwald and Blanche Lindauer Fensterwald. His father is deceased and his mother resides in Nashville, Tennessee.

1 xerox to CIA by ltr 1/23/69 (62-109060) REL'd

Education

Mr. Fensterwald attended Harvard College, Harvard University, Cambridge, Massachusetts, from 1938 to 1942 when he was graduated with a Bachelor of Science degree.

He attended Harvard Law School, Harvard University, Cambridge, Massachusetts, from 1946 to 1949 when he was awarded a Bachelor of Laws degree. He was an excellent student and his record is clear.

Records located at the School of Advanced International Studies, Washington, D. C., reflect Mr. Fensterwald attended this school from January to June, 1946, in Washington, D. C., and attended summer sessions of this school during 1947 and 1949 at Peterborough, New Hampshire. He was awarded a Master of Arts degree in June, 1950.

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED DURING SLIP(S) DATE
REC'D-READING ROOM MAR 20 10 14 '59

3/5/65 Grant Lee Miller ASAC
1 Xerox - IRS 7-2-65 PDP/jcw
1 Xerox - Treasury Inspection Staff 11-13-64 PDP/jcw
1 Xerox - IRS, Inspection Staff 10-12-64 PDP/jcw
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Tolson
Belmont
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Parsons
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Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy
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77-44206-34
ENCLOSURE

b6 per FBI
b7C

Bernard Fensterwald, Jr.

On an application for Federal employment form submitted February 16, 1959, Mr. Fensterwald indicated he attended Cambridge University, Cambridge, England, from 1954 to 1955 but did not receive a degree. This was not verified.

Military Service Record

Mr. Fensterwald's record with the United States Navy at Washington, D. C., reflects he was appointed an ensign, United States Naval Reserve on April 3, 1942, and reported for active duty on September 18, 1942. He was detached from duty on March 1, 1946, at Washington, D. C., and on May 1, 1946, he was released from active duty as a lieutenant, United States Naval Reserve. His record reflects his efficiency ratings ranged from average through excellent.

His file contained a letter from his commanding officer which was directed to Mr. Fensterwald dated April 6, 1945, which stated in part:

> "You were appointed officer in charge of six groups of officers and men to embark on the USS 'Cleveland' for a sight-seeing trip to Manila, Philippine Islands. One of these groups was under your direct supervision. In addition, detailed instructions concerning the conduct of the personnel in the groups were furnished you prior to departure from this ship, and supplemental instructions were given on the USS 'Cleveland.' Notwithstanding the information you received, certain members of the sight-seeing party flagrantly violated the orders governing their conduct to the extent that it was necessary for the commanding officer, USS 'Cleveland' to inform me officially of the incidents

which do not reflect creditably on this ship. To aggravate the situation, all of the offenders were from the group of which you were in charge. I consider your inattention and failure to set an example of seamanlike performance of duty inexcusable. Because of the above, you are hereby suspended from duty for a period of ten days. During this period of suspension you will confine yourself to the limits of your ship, exclusive of the quarterdeck and the bridges."

Mr. Fensterwald's file contained no additional unfavorable information.

A review of Mr. Fensterwald's United States Navy officer record in Washington, D. C., during the current investigation revealed that as of January 29, 1958, he was a lieutenant in the United States Naval Reserve in an inactive status.

It is noted that the dates of military service for Mr. Fensterwald, as obtained from his official service record, conflict in part with a portion of his educational record.

Admissions to Bar

Records of the Supreme Judicial Court, Suffolk County Courthouse, Boston, Massachusetts, reflect Mr. Fensterwald was admitted to the Massachusetts Bar on September 27, 1949. No record of any grievances against him was located.

Records of the Massachusetts Bar Association, Boston, Massachusetts, reveal no record of any grievances against Mr. Fensterwald.

The Lawyers' Register, United States District Court for the District of Columbia, reflects Mr. Fensterwald

Bernard Fensterwald, Jr.

was admitted to the practice of law in the District of Columbia on June 19, 1953. No record for Mr. Fensterwald was located in the records of the Committee on Admissions and Grievances, United States District Court for the District of Columbia.

No record concerning Mr. Fensterwald was located in the records of the Bar Association for Washington, D. C.

A search of the membership and grievance files of the American Bar Association, Chicago, Illinois, disclosed no prior or current membership record for Mr. Fensterwald.

During the 1949 investigation of Mr. Fensterwald it was determined Mr. Fensterwald did not pass the Tennessee Bar examination afforded him in June, 1949, and, therefore, was not admitted to the Tennessee Bar.

Employment

From January, 1950, to September, 1956, Mr. Fensterwald was employed by the Department of State in Washington, D. C., as an assistant to the Legal Adviser.

In connection with the above employment, a review of personnel records located at the Federal Records Center, St. Louis, Missouri, reflected Mr. Fensterwald was employed on January 9, 1950, as an attorney - adviser by the Department of State at Washington, D. C. He was placed on leave without pay from September 3, 1954, to January 5, 1956, in order that he might study at the University of Cambridge in England. The above employment was terminated on September 5, 1956, by reason of resignation to accept other employment.

From September, 1956, to January, 1957, Mr. Fensterwald worked for United States Senator from Tennessee Estes Kefauver during the Senator's political campaign. [redacted] to Senator Kefauver, advised Mr. Fensterwald was not on the Senator's or the United States Senate payroll during this period of employment.

b6 per FBI
b7C

Bernard Fensterwald, Jr.

Records of the United States Senate Disbursing Office, Washington, D. C., reflect Mr. Fensterwald entered on duty on January 16, 1957, as an assistant clerk to United States Senator from Missouri Thomas C. Hennings, Jr., and that on April 19, 1957, he was promoted to administrative assistant. These records further reflect that on February 1, 1959, Mr. Fensterwald transferred to the position of Chief Counsel, United States Senate Subcommittee on Constitutional Amendments and is currently serving in that capacity.

Marital Status

Mr. Fensterwald is married to the former Betty Vosberg of Washington, D. C. They have one minor child, a son, and reside in Arlington, Virginia.

II. RESULTS OF INVESTIGATIONS

Interviews

United States Senator from Tennessee Estes Kefauver advised he has known Mr. Fensterwald approximately eight years. He described Mr. Fensterwald as a bright and able young man whose character, associates and loyalty are satisfactory in every respect. Senator Kefauver said he recommended Mr. Fensterwald for the present position he holds and would not hesitate to recommend him for any sensitive position with the Government.

[redacted] to United States Senator from Missouri Thomas C. Hennings, Jr., advised he has known Mr. Fensterwald since July, 1957, both professionally and socially. He said Mr. Fensterwald's character, associates and loyalty are above question and he has performed his work in a competent and satisfactory manner. He recommended Mr. Fensterwald for a sensitive position with the Government. b6 per FBI b7C

Jack B. Tate, Associate Dean, School of Law, Yale University, New Haven, Connecticut, advised he was formerly associated with Mr. Fensterwald in the Department of State

for approximately four years. He said during that period he became well acquainted with Mr. Fensterwald and has continued to maintain this close association and friendship. He described Mr. Fensterwald as a man of very high intelligence and ability as a lawyer. He said he is a hard worker and has a pleasant personality and "gets along" with people. He said Mr. Fensterwald is a fair-minded person of excellent judgment who has a great interest in world affairs. He said after leaving the Department of State, Mr. Fensterwald studied at Cambridge University in England. Mr. Tate also said that Mr. Fensterwald, out of intellectual curiosity, visited the Soviet Union and that before and after this visit Mr. Fensterwald had commented that he thought "the communists are lousy."

Mr. Tate continued by stating that Mr. Fensterwald's associates have always been persons of high regard in governmental and academic circles and they have been persons of excellent character, reputation and unquestionable loyalty. Mr. Tate concluded by recommending Mr. Fensterwald for a position of high trust and confidence in the Government.

Leonard C. Meeker, Assistant Legal Adviser for United Nations, advised he has been acquainted with Mr. Fensterwald since approximately the Summer of 1951. He said Mr. Fensterwald had been under his immediate supervision during most of his, Fensterwald's, employment at the Department of State. Mr. Meeker said he found Mr. Fensterwald to be a very competent attorney who was sincere, discreet and trustworthy. He said further he has had some social contact with Mr. Fensterwald, having visited in his home on several occasions. He said he considers Mr. Fensterwald to be a person of fine character, high integrity and a loyal American citizen. He concluded by stating he is aware of nothing of an adverse nature concerning Mr. Fensterwald, and he recommended him without reservation for a position of trust and confidence.

Twenty-four additional individuals contacted during the investigations of Mr. Fensterwald and comprising

neighbors, former neighbors, professional associates, social acquaintances and others, advised Mr. Fensterwald is a loyal person of excellent character, reputation and associates, and they recommended him for a position of trust and confidence.

Miscellaneous

A confidential informant who had furnished reliable information in the past, advised during the 1949 investigation that the names Mrs. B. Fensterwald and Ann Fensterwald, both of Belle Meade Park, Nashville, Tennessee, appeared on a list of the delegates and members of the Southern Conference for Human Welfare in attendance at the third meeting, April 19 through April 21, 1942, in Nashville, Tennessee.

It is noted Mr. Fensterwald's mother's given name is Blanche and he has a sister Ann Fensterwald, who is now Mrs. Robert D. Eisenstein, both of Nashville, Tennessee.

Another confidential informant, who had furnished reliable information in the past and who was well acquainted with Mr. Fensterwald and his family, was contacted during the 1949 investigation of Mr. Fensterwald. This informant was quite well informed concerning the activities of the Southern Conference for Human Welfare and he advised he did not recall Mr. Fensterwald's mother or sister Ann being active in the Southern Conference for Human Welfare or even being associated with it. He said it was quite possible that they were contributors and attended the meeting in April, 1942. He pointed out that many leading citizens of Nashville, Tennessee, had been approached by the Southern Conference for Human Welfare for donations and sponsorships. He said that at the time these people were approached they were given to understand the Southern Conference for Human Welfare was a semireligious organization which was set up to give aid to the Negro race. He said it was logical that the Fensterwalds would be approached and they may have contributed inasmuch as they had been leaders in charitable work. The informant pointed out further that Mrs. Eleanor

Roosevelt was guest speaker at the meeting and many people had attended for that reason alone. He said Mr. Fensterwald and his family have an excellent reputation in Nashville and there is no question concerning their loyalty to the United States.

The Southern Conference for Human Welfare has been cited as a communist front organization "which seeks to attract southern liberals on the basis of its seeming interest in the problems of the South" although its "professed interest in southern welfare is simply an expedient for larger aims serving the Soviet Union and its subservient Communist Party in the United States." (Committee on Un-American Activities, House Report 592, on the Southern Conference for Human Welfare, June 16, 1947.)

b3 per FBI
b7E

A confidential informant, who has furnished reliable information in the past, advised on February 21, 1956, that

[redacted]

(U)

Another confidential informant advised that Mrs. Bernard Fensterwald and son were departing the United States on Scandinavian Airlines System flight 904 on June 23, 1956, for the Soviet Union. (U)

An article appeared in the "Banner," a daily newspaper published in Nashville, Tennessee, on June 21, 1956, which set forth that Bernard Fensterwald, Jr., a State Department lawyer, and his mother, Mrs. Bernard

Fensterwald, Sr., Clarendon Avenue, Nashville, would leave on the following Friday on a three weeks' vacation trip to Russia.

Mr. Fensterwald was quoted in the article as saying that this was strictly a vacation trip and that he and his mother were curious to see what was going on behind the Iron Curtain. He said, according to the article, they planned to visit Leningrad, Moscow, Stalingrad, Rostov, and Kiev and that they were more interested in seeing the industries and the people than in browsing through art museums. The article further set forth that this was to be Mr. Fensterwald's first trip to Russia but his mother was said to have visited there under the Czarist regime just before World War I.

Immediate Relatives

Mr. Fensterwald has no living immediate relatives in addition to his wife, son, mother and sister, previously referred to in this summary memorandum.

Credit and Arrest Checks

A check of the records of the appropriate credit reporting agencies and law enforcement agencies disclosed no pertinent identifiable information with reference to Mr. Fensterwald or any of his immediate relatives, except as follows:

The records of the Arlington County, Virginia, Police Department reflected Mr. Fensterwald on January 20, 1952, was cited for traveling forty miles per hour in a twenty-five miles per hour zone for which he paid $10.

Agency Checks

The files of the following governmental agencies were checked concerning Mr. Fensterwald [redacted] b3 per CIA

Central Intelligence Agency; Investigations Division, Civil Service Commission; House Committee on Un-American Activities; Office of Security, Department of State; and the central files of the Federal Bureau of Investigation.

Mr. J. D. Hensley, Office of Security Services, Office of the Secretary of Defense, Washington, D. C., made available a file pertaining to Mr. Fensterwald which contained a memorandum dated August 30, 1957, reflecting that Mr. Fensterwald was to be an official United States Government Observer at the "GIRARD Trial" in Japan. Mr. Hensley advised Mr. Fensterwald was issued a "secret clearance" by the Office of the Secretary of Defense on August 20, 1957. No additional pertinent information was contained in this file and it was noted Mr. Fensterwald was never employed by the Office of the Secretary of Defense.

Passport Office

The files of the Passport Office, Department of State, Washington, D. C., reflect Mr. Fensterwald was issued four passports between 1946 and 1957 for travel abroad. No additional pertinent information concerning Mr. Fensterwald was located in the files of the Passport Office.

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

APPROVED FOR RELEASE 1993
CIA HISTORICAL REVIEW PROGRAM
JBH 3-8-93
9803 RDD/MSR
4-29-93
JFK

MEMORANDUM FOR: Director
Federal Bureau of Investigation
Attention: Mr. S. J. Papich

SUBJECT : "GARRISON and the Kennedy Assassination: Bernard FENSTERWALD et al"

1. A Washington UPI dispatch of 3 January 1969 reads as follows:

Washington -- New Orleans District Attorney Jim Garrison is one of seven board members of a new national committee to investigate assassinations which is being formed here.

Bernard Fensterwald, 47, of Arlington, Va., another board member, said the committee's purpose is "To embarrass or force the government to make investigations they have been putting off since Nov. 22, 1963."

That was the date of President Kennedy's assassination in Dallas.

Fensterwald, who said he was setting up an office which would open in a week, left the senate earlier this week after 12 years as counsel for several committees.

"The committee will concentrate on the three best known assassinations -- President Kennedy, Senator Robert Kennedy and Dr. Martin Luther King -- but will leave its options open on some other rather mysterious deaths," he said.

"Our position is there was a conspiracy in Dallas, there were strong footprints of a conspiracy in Memphis where Dr. King was shot and nobody really knows much about what went on in Los Angeles (where Senator Kennedy was slain) but we intend to look."

ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/5/94 BY 5668 SLD/dmy

ORIGINAL FILED IN

Classified by 1
Excluded from automatic downgrading and declassification

77-44206 45
NOT RECORDED
46 JAN 29 1969

He said the committee hoped to find private financial support to hire a professional staff for its investigations.

Other board members, said Fensterwald, include Bill Turner of San Francisco, a former FBI agent; Richard Sprague of Hartsdale, N. Y., a computer expert; Fred J. Cook, Englewood, N.J., author; Lloyd Tupling, associated with the Sierra Club here, and Paris Flammonde, a New York writer who will have a book out next week on assassinations.

Eight more board members will be named later, Fensterwald said.

2. William Turner and Fred J. Cook are well known to you. Paris Flammonde appears in the January 1969 issue of Evergreen as the author of an article entitled "Why President Kennedy Was Killed". His book The Kennedy Conspiracy has been published by Meredith Press, New York. The dust cover of the book states that Flammonde was for many years the producer of the Long John Nebel radio show. We have no record of him.

3. Reference is made to your memorandum, New York office, 24 August 1956, subject: Blanche Fensterwald, also known as: Mrs. Bernard Fensterwald. We should be grateful if you can determine whether the Bernard Fensterwald who appears in this report is identical with the 47 year old Bernard Fensterwald cited in the UPI dispatch. If so, any additional information is also requested.

Born 8/2/21, Nashville, Tenn.

4. Our records show that Richard Sprague, a management consultant and photographic researcher, appeared in a New York Times article of 24 May 1968 in which he claimed that within an hour of the assassination of President Kennedy three men may have been pulled off freight cars in a railroad yard near Dealy Plaza. We have no further identifiable record of him. We also have no record of Lloyd Tupling. We should be grateful for any further information about Sprague, Tupling, or Flammonde.

FOR THE DEPUTY DIRECTOR FOR PLANS:

James C. Angleton

JAMES ANGLETON

CSCI-316/00108-69

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

FD-36 (Rev. 8-26-82)

FBI

TRANSMIT VIA:
- ☐ Teletype
- ☐ Facsimile
- ☒ Airtel

PRECEDENCE:
- ☐ Immediate
- ☐ Priority
- ☐ Routine

CLASSIFICATION:
- ☐ ~~TOP SECRET~~
- ☐ ~~SECRET~~
- ☐ ~~CONFIDENTIAL~~
- ☐ UNCLAS E F T O
- ☐ UNCLAS

Date 8/10/84

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (77D-7102) (P)

8/3/94 5668 SLD/dmy
Classified by
Declassify on: Date
CA#94-0655 HHG

BERNARD FENSTERWALD, JR.
CONTRACT PERSONNEL INVESTIGATION

Re Alexandria airtel to Bureau, 6/15/84.

Enclosed for the Bureau is an article entitled "One man's CIA file...", from the June 25, 1975, Washington Star which is an article concerning the employee.

ADMINISTRATIVE:

All individuals contacted were apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted.

Alexandria through {~~confidential~~ indices} revealed numerous references to the employee and [redacted]. Alexandria indices search produced numerous Freedom of Information Acts requests which the employee had initiated. The employee was also identified as a member of the "Committee to Investigate Assassinations, Incorporated." b6 per FBI b7C b7E

[redacted]

(U) Alexandria noted that the employee was a former member of the Judiciary Committee of the United States Senate and had also been self-employed as an attorney in the District of Columbia. Alexandria search revealed no other information on any other pertinent indivdiuals.

77-44206-5X17

2-Bureau (Enc. 1)
1-Alexandria
HEB:trc
(3)

4 USD

Approved: 9/20/85 Transmitted _____ (Number) _____ (Time) Per _____

☆U.S. Government Printing Office: 1984—431-613/6249

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 8/3/94 5668 SLD/dmy

NEIGHBORHOOD

811 Prince Street
Alexandria, Virginia
1972 - present

[redacted] telephone number [redacted], was contacted on July 23, 1984, and she stated that she did not know the employee personally. [redacted] advised that she has resided on Prince Street for the past four months and that, during that time, she has never experienced any problems with any of her neighbors. [redacted] advised that she knew the house where the employee lives and that she has never had any problems with any residents of that specific house. [redacted] advised that she has never met any of the residents of 811 Prince Street and so she did not feel qualified to make any comments concerning their character. b6 per FBI b7C

[redacted] telephone number [redacted], was contacted on July 25, 1984, and he stated that he has known the employee and his family for "a number of years", at least ten. [redacted] stated that, during the time that he has known the employee, he has treated the employee's spouse and his mother for medical ailments. [redacted] also advised that he knows the employee as a neighbor and that he has never had any problems with the employee. [redacted] stated that, to the best of his knowledge, the employee enjoys a "fine reputation in the community." [redacted] further advised that he knows the employee to be very busy in civic organizations. [redacted] advised that he does not know the employee socially and that, accordingly, he did not have any knowledge of the employee's use or nonuse of illegal drugs or the extent to which the employee might use alcoholic beverages. [redacted] advised that he has never had any problems with the employee and that he did not know of anybody else in the neighborhood who would ever had had any problems with the employee. [redacted] stated that he considered the employee to be a reliable and responsible individual and that he could not ~~image~~ the employee being a security threat. Lastly, [redacted] stated that he would recommend the employee for any necessary security clearances because he considers the employee to be a loyal and trustworthy ~~employee~~. b6 per FBI b7C

[redacted] was contacted on July 31, 1984, and he stated that he has been a resident of Prince Street for approximately ten years. [redacted] advised that, to the best of his knowledge, the employee would have moved on Prince Street approximately eight years ago. [redacted] stated that his family and the employee's family have each visited the others homes a number of times since they have been neighbors. [redacted] stated that he considers the employee to be a fine neighbor and that he has never had any problems with either the employee or any other member of his family. [redacted] described the employee as being a friendly, quiet individual who enjoys a good reputation. [redacted] stated that, to the best of his knowledge, there has never been any complaints against the employee or any member of his family or any of the other neighbors. [redacted] went on to state that the employee and his family are so quiet that "you hardly know they are there." [redacted] stated that he has known the employee socially during the time period in which they have been neighbors and that he has never known the employee to ever drink to excess or to have ever used illegal drugs. [redacted] also stated that he has no reason to suspect that the employee would be anything other than a loyal American and that he would consider the employee to be trustworthy and honest. [redacted] stated that, since he did not know anything of a derogatory nature concerning the employee or any of his associates, he would recommend the employee for any necessary security clearances which would enable him to work in a position of trust and confidence with the United States government.

b6 per FBI
b7C

ASSOCIATES

[redacted] The USA Today Building, 1000 Wilson Boulevard, Arlington, Virginia, was interviewed at his place of employment, FENSTERWALD AND ASSOCIATES, on July 26, 1984, and he stated that he knows the employee. [redacted] stated that he and the employee [redacted] since 1974. [redacted] advised further that he and the employee [redacted] Arlington, Virginia, and that he now knows that the employee resides at 811 Prince Street, Alexandria. [redacted] stated that he has visited with the employee at his Prince Street residence and that he does not know

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of any problems which the employee might have with any of his neighbors. [redacted] advised [redacted] and that he has been involved with numerous businesses with the employee. [redacted] stated that the employee serves as a consultant and is a corporate attorney for the various businesses in which the two of them are involved. [redacted] stated that he and the employee [redacted] in a new business they are starting which is called "U-STORE MANAGEMENT COMPANY", a warehouse business. [redacted] stated that he has always found the employee to be an easy going and intelligent individual. [redacted] stated that he considers the employee to have an outstanding character and that he would have no reservations in recommending the employee on the gounds of his character, reliability, honesty and loyalty. [redacted] further stated that he considers the employee to be a "very sharp businessman." [redacted] stated that the employee is able to pick up the necessary information quickly concerning any business matter in which they are dealing with and that he is able to get to the "heart of the matter" quickly and is able to render decisions accordingly. b6 per FBI b7C

[redacted] described the employee as being easy going, knowledgeable and ethical, and he stated further that the employee is "liberal". [redacted] advised that, in their business dealings, the employee left a day-to-day operation of the businesses to [redacted] and that the employee is generally just concerned ~~as~~ with being contacted on issues of a legal nature. [redacted] further stated that he is not aware of the employee having any alcohol abuse problems or of his ever having used illegal drugs. [redacted] further stated that he would consider the employee to be very security conscientious and able to maintain the confidence of whatever position he is working at. [redacted] stated that he is aware of a number of prior positions ~~in~~ which the employee has held in Washington, D.C., and of the various cases that he has worked on as an attorney and he believes that the employee has always held a fine reputation and that he understands that, during the course of his business dealings, the employee has always ~~be~~ been able to maintain the confidence of his clients and his work. [redacted] stated that he did not know anything of a derogatory nature concerning either the employee or any of his associates. [redacted] stated that, although he has known the employee for a number of years, he is not actually aware of much of the employee's outside activities except that he does know that the employee has a great interest in the study of b6 per FBI b7C

political assassination and that he has written a book on the subject. [redacted] also advised that he would consider the employee as being an individual who would be able to handle stress well and he believes that he can do any job which he sets his mind to. Finally, [redacted] stated that he would recommend the employee for any necessary security clearances which would enable him to work in a position of trust and confidence with the United States government.

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[redacted] The USA Today Building, 1000 Wilson Boulevard, Arlington, Virginia, was contacted at his place of employment, FENSTERWALD AND ASSOCIATES, on July 26, 1984, and he stated that he has been employed by the employee since June, 1970. [redacted] stated that he considers the employee to possess a very good character and to portray "sterling traits." [redacted] described the employee as being an individual of good humor, generous, reliable, and responsible. [redacted] also described the employee as being a "very principled individual", and that one of his principle interests is the study and investigations of political assassinations. [redacted] also stated that the employee has a very good reputation locally concerning his past lobbying efforts and his knowledge concerning political matters. [redacted] stated, to the best of his knowledge, the employee had previously worked in Washington for SENATOR LONG of Missouri. [redacted] stated that the employee has "very polished manners" and that he is able to get along well with others, mostly likely due to his easy going nature. [redacted] stated, that during the time in which he has worked with the employee, he has found the employee to be a good boss. [redacted] also stated that the employee is able to delegate authority very well and that, as a result, his office has always been able to do good work. [redacted] stated that he has been with the employee in social settings and that he has never known the employee to have an alcohol abuse problem or to have ever used illegal drugs. [redacted] stated that, according to the best of his knowledge, he believes the employee may have even totally quite alcohol beverages. [redacted] also stated that he did not know anything of a derogatory nature concerning the employee or any of his associates and that he would definitely not consider

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the employee to be any sort of a national security threat. [redacted] also advised that he did not believe that the employee is the type of individual who would ever be effected by stress. [redacted] also stated that the employee is "well established and independently wealthy" and that he is able to pursue his interest, in particular his interest in political assassinations. Lastly, [redacted] stated that he would definitely recommend the employee for any necessary security clearances which would enable him to work in a position of trust and confidence with the United States government because he had no reason to doubt the employee's loyalty and he believes that the employee will do a good job at anything which he is seeking to do. b6 per FBI b7C

AGENCY CHECK b6 per FBI b7C

IA [redacted] caused a search to be made of the files of the CENTRAL INTELLIGENCE AGENCY, [redacted] b3 per CIA

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 06-16-2015
D27B81S81

U.S. Department of Justice

Federal Bureau of Investigation

~~CONFIDENTIAL~~

Washington, D.C. 20535

November 9, 1984

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE~~

~~8/3/94 5668 SLP/dmj~~
~~CLASSIFIED BY: Declassify on: OADR~~
~~CA#94-0655 HHG~~

BERNARD FENSTERWALD, JR.;
CLEARANCE MATTER

This document is unclassified unless indicated otherwise.

BERNARD FENSTERWALD, JR., was the subject of an applicant-type investigation covering his adult life for the purpose of the DEPARTMENT OF JUSTICE granting him a "Top Secret" security clearance, since he has a need for classified information in his current assignment. This investigation was based upon submission of Standard Form-86, "Security Investigation Data For Sensitive Position," (copy attached), which was completed by FENSTERWALD on May 10, 1984. FENSTERWALD is an attorney and a self-employed historical researcher in the Washington, D.C., area.

~~CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC) DATE: 8/23/94~~ 5668 SLP/dmj

FENSTERWALD's birth on August 2, 1921, at Nashville, Tennessee, was verified through records on file at the OFFICE OF VITAL RECORDS, DEPARTMENT OF HEALTH AND ENVIRONMENT, Nashville, Tennessee.

FENSTERWALD's education from 1938 until 1950 was verified and favorable.

FENSTERWALD's residence since 1972 was verified and favorable.

FENSTERWALD enlisted in the UNITED STATES NAVY (USN) on May 6, 1942, and entered on active duty on September 18, 1942. He was honorably released from active duty on March 1, 1946, and transferred to the USN Reserve. He served in the Reserve, inactive status, from May 6, 1942, until May 17, 1942, and from March 2, 1946, until July 1, 1962, when he was honorably discharged. He had foreign sea/service in the

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~~Declassify on: OADR~~

77-44206

~~CONFIDENTIAL~~

1 - [redacted]
1 - [redacted] (Attn: [redacted])

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77-44206-51

ENCLOSURE

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Exec. AD-Adm.
Exec. AD-Inv.
Exec. AD-LES
Asst. Dir.:
Adm. Servs.
Crim. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Off. of Cong. & Public Affs.
Rec. Mgnt.
Tech. Servs.
Training
Telephone Rm.
Director's Sec'y

MAIL ROOM

Asiatic-Pacific area and the European-African-Middle East area. He was awarded numerous medals and commendations. His conduct and efficiency ratings ranged from "Satisfactory" to "Excellent," and there was no record of court-martial or absence without official leave. He was granted a "Secret" security clearance on November 9, 1959, which was terminated at the time of his discharge.

All listed references and associates highly recommended FENSTERWALD for a position of trust and confidence with the U. S. Government. However, FBI records indicate that one of his references, JOHN HENRY FAULK, was suspected of being a member of the COMMUNIST PARTY. FAULK was investigated intermittently from 1942-1953. In 1953, FAULK was interviewed by the FBI and admitted he was a communist sympathizer but denied being a COMMUNIST PARTY member. FAULK has made numerous Freedom of Information and Privacy Acts (FOIPA) requests pertaining to himself. Because of denials of some of the information, FAULK has an administrative claim pending against the Bureau.

It should be noted that FENSTERWALD's [redacted], as well as [redacted], was also listed as a frequent requester to FOIPA for information concerning the FBI investigations of assassinations of prominent individuals. b6 per FBI b7C

All listed employments were verified and favorable.

Appropriate law enforcement agency records were checked and contained no information identifiable with FENSTERWALD's listed relatives. However, records on file at the ARLINGTON, VIRGINIA, POLICE DEPARTMENT revealed that on January 20, 1952, FENSTERWALD was cited for speeding 45 miles per hour (MPH) in a 25 MPH zone. On January 21, 1952, the case was disposed when FENSTERWALD pled guilty and was fined $10 plus court costs. On May 8, 1969, he was cited for allowing his dog to run at large, but the charges were dismissed on July 8, 1970.

FENSTERWALD has a current credit rating of "Satisfactory."

Bernard Fensterwald, Jr.

Information has been received from the following governmental agencies [redacted] b3 per CIA

DEFENSE CENTRAL INDEX OF INVESTIGATIONS,
Baltimore, Maryland;
OFFICE OF PERSONNEL MANAGEMENT,
Boyers, Pennsylvania;
CENTRAL INTELLIGENCE AGENCY,
Langley, Virginia.

The central files of the FBI, including the records of the Identification Division and appropriate computer data bases, were checked and contained the following information concerning BERNARD FENSTERWALD, JR., and [redacted] b6 per FBI b7C

FBI records revealed numerous FOIPA requests have been initiated by FENSTERWALD with the majority of these requests concerning the investigations surrounding the assassination of prominent individuals. He was identified as a member of an organization called the COMMITTEE TO INVESTIGATE ASSASSINATIONS, INCORPORATED. While on this Committee, FENSTERWALD and a woman named [redacted] made contact in Dallas with witnesses and others who might be knowledgeable about the JOHN F. KENNEDY assasination. FENSTERWALD represented himself as acting on behalf of this Committee and created the impression he and his group were anxious to find some new evidence or statements that would tend to contradict the conclusion of the WARREN COMMISSION. b6 per FBI b7C

FBI records further revealed that FENSTERWALD was instrumental in initiating and continuing an investigation into an alleged wiretapping by the FBI of congressional offices.

It was also disclosed that [redacted] b6 per FBI b7C b7E

(S) Through interviews of a confidential source, it was determined that BERNARD FENSTERWALD, JR., was a lawyer and [redacted]

Bernard Fensterwald, Jr.

[redacted] b6 per FBI
b7C
b7E

It should be noted that FENSTERWALD was an attorney for JAMES EARL RAY for a short period of time prior to Ray's escape from prison. FENSTERWALD appears to be interested in political assassinations and has written a book, title unknown, on the subject. (U)

Enclosure