

Date : 01/20/95

Page : 1

JFK ASSASSINATION SYSTEM  
IDENTIFICATION FORM

## AGENCY INFORMATION

File #:

AGENCY : FBI  
 RECORD NUMBER : 124-10204-10101  
 RECORDS SERIES : HQ  
 AGENCY FILE NUMBER : 92-3182-1117

## DOCUMENT INFORMATION

ORIGINATOR : FBI  
 FROM : SAC, CG  
 TO : DIRECTOR, FBI  
 TITLE :

62-HQ-116395

PAGES : 9

SUBJECTS : GALT, SWISS ENTRY BAN, OC, RES, EMP, ARREST, LAPD,  
 COMPANION, ASSOC, TELCAL, REL, LABOR, TRA

DOCUMENT TYPE : PAPER, TEXTUAL DOCUMENT, PHOTO

CLASSIFICATION : UNCLASSIFIED

RESTRICTIONS : SECTION 16(a)2

CURRENT STATUS : RELEASED WITH DELETIONS

DATE OF LAST REVIEW : 01/18/95

OPENING CRITERIA : INDEFINITE

COMMENTS : INC RESP, LHM, ENV

Serial Scope:

18 NR 1203x, 1204x, 18 NR 1204x, 1206-1210x,  
 1212, 1214x, 1214x1, 1215, 1215x

2025 Release under the President John  
 F. Kennedy Assassination Records  
 Collection Act of 1992

Released under the John  
 F. Kennedy Assassination  
 Records Collection Act of  
 1992 (44 USC 2107 Note).  
 Case#:NIX 85016 Date:  
 11-17-2017

[R] - ITEM IS RESTRICTED

OPTIONAL FORM NO. 10  
MAY 1962 EDITION  
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

## Memorandum

TO : Mr. J. B. Adams

Airtel

FROM : Legal Counsel

SUBJECT: TSENSEDOY, Chicago (92-3182)

- 1 - Mr. Mintz - Encls. (2)
- 1 - Mr. Adams - Encls. (2)
- 1 - Mr. Bassett - Encls. (2)

DATE: 12/5/75

- 1 - Mr. Wannall - Encls. (2)
- 1 - Mr. Cregar - Encls. (2)
- 1 - Mr. Kotis - Encls. (2)
- 1 - Mr. Daly - Encls. (2)

Assoc. Dir. \_\_\_\_\_  
 Dep. AD Adm. \_\_\_\_\_  
 Dep. AD Inv. \_\_\_\_\_  
 Asst. Dir.: \_\_\_\_\_  
 Admin. \_\_\_\_\_  
 Comp. Syst. \_\_\_\_\_  
 Ext. Affairs \_\_\_\_\_  
 Files & Com. \_\_\_\_\_  
 Gen. Inv. \_\_\_\_\_  
 Ident. \_\_\_\_\_  
 Inspection \_\_\_\_\_  
 Intell. \_\_\_\_\_  
 Lab. \_\_\_\_\_  
 Legal Coun. \_\_\_\_\_  
 Plan. & Eval. \_\_\_\_\_  
 Spec. Inv. \_\_\_\_\_  
 Training \_\_\_\_\_  
 Telephone Rm. \_\_\_\_\_  
 Director Sec'y \_\_\_\_\_

From: Director, FBI (92-3182)

On 12/4/75, a meeting was held with the following representatives of captioned Committee: Chief Counsel F.A.O. Schwartz; Assistant Counsel Paul Michel; Staff Member Mark Gitanstein; Staff Director of the Domestic Task Force John T. Elliff; and Staff Member John Bayley. Representing the Bureau at this meeting were Deputy Associate Director James B. Adams, Assistant Director John A. Mintz, Inspector John B. Kotis, and SA Paul V. Daly.

It is not felt that the letterhead memorandum submitted with your airtel contains sufficient specific information to resolve the foregoing testimony of 12/3/75 of the Director before the Subcommittee and Elliff regarding the Bureau's draft papers discussing the Bureau's investigative jurisdiction and issues the Committee Staff feels the Senate Select Committee must address from a legislative standpoint. Copies of these papers are attached to support the identification of Alex as a leading Chicago hoodlum figure and the paper which consists of nine pages discusses in Part I that the Committee sees as problems arising out of the FBI's domestic intelligence investigation. This portion highlights the fact that these investigations may be overbroad in scope, collect irrelevant information, and continue the investigations beyond what the Committee sees as their normal investigative conclusion. This portion also addresses the investigative techniques used during these investigations and the resultant dissemination of information collected.

Legal has requested this matter be given prompt attention and in view of this, you should submit material by 11-11-75. These options run the gamut from abolition of the Bureau's domestic intelligence functions to administrative oversight by the Attorney General or Congressional oversight or enacting legislation providing for domestic intel. investigations with legislative limits imposed on each investigation. Included is the consideration of creating an independent Inspector General. Alex has appealed and Swiss police have requested they feel there is some question of identity as to whether there are two persons by the name of Alex involved and have requested further verification concerning this.

Enclosures

CONTINUED - OVER

PVD:lad

JGL:EP

84 JAN 26 1976

TELETYPE UNIT

DocId:32556705

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

DEC 8 1975



FBI

Legal Counsel to Mr. Adams  
RE: SENSTUDX 79

Date: 11/4/65

Transmit the following in \_\_\_\_\_

(Type in plaintext or code)

Via \_\_\_\_\_

The second position paper which was prepared by John T. Elliff begins by a six-page statement and analysis of the Bureau's current authority to conduct domestic intelligence investigations. He then lists four options for the Committee.

TO : DIRECTOR, FBI (92-3182)

Option 1 is for Congress to pass legislation ratifying the existing FBI authority as set forth by Presidential directives and Executive Orders.

SUBJECT: GUS ALEX, aka.

Option 2 suggests Congress might give serious consideration to creating a separate Security Intelligence Agency within the Department of Justice. In this Option, Elliff suggests that the FBI itself has considered this Option as part of the larger question of separating all FBI intelligence functions from law enforcement functions of the Bureau.

Option 3 considers the elimination of FBI domestic intelligence. In his analysis of this position, it might be possible for the Bureau to develop the necessary intelligence information through its normal criminal investigations and thus remove the necessity for domestic intelligence investigations as presently conducted.

A photo of GUS ALEX taken in Los Angeles in 1959 at the time of his arrest there.

Option 4 considers setting standards for domestic intelligence investigations. In this Option, Elliff states that the FBI should be authorized by statute to conduct domestic intelligence investigations only as Congress finds that regular criminal investigations would not provide information to anticipate or prevent the use of violence in violations of Federal law and that incidents of the use of violence in such violations are of a serious nature and threaten the security of the country. to obtain an affidavit from GUS ALEX to confirm or deny his identity for purposes of the Director's appearance on 12/9/75 before the Senate Select Committee, it is believed his response to questions concerning the aforementioned position papers should be that the Bureau has received copies and is reviewing the various proposals and that it would not be appropriate at this time for the Director to comment regarding the substance of the proposals.

- 3 - Bureau  
1 - Chicago  
EWA:flk  
(4)

2 Photos attached  
+ Enclosed with resubmission  
from 92-3182

CONTINUED - OVER

Approved: \_\_\_\_\_

Special Agent in Charge

Sent \_\_\_\_\_

M

Per \_\_\_\_\_





## UNITED STATES DEPARTMENT OF JUSTICE

Legal Counsel to Mr. Adams  
RE: SENSTUDY 75

In Reply, Please Refer to  
File No.

Chicago, Illinois  
November 4, 1965

Elliff indicated during this meeting that the Director during his appearance may anticipate being asked a question by one of the Senators relating to his statement before the American Bar Association in Montreal concerning the necessity for the sacrifice of certain individual rights at the expense of investigations. He also anticipated the Director might be asked a question concerning his position on COINTELPRO. Regarding the question concerning the Director's statement before the American Bar Association in Montreal, the Legal Counsel Division will draft a proposed response. Concerning COINTELPRO, a response has been prepared and will be put together with the briefing material for the Director.

The following information is set forth to substantiate the fact that Gus Alex, the subject of the Swiss entry ban and member of the Chicago underworld is identical with the Gus Alex who claims residence in Evergreen Park, Illinois, and is employed in the public department of the De Luxe Cigarette Service, Incorporated, Niles, Illinois.

RECOMMENDATIONS:

Enclosed is one copy of a photograph of Gus Alex taken when he was arrested in 1959 by the Los Angeles, California, Police Department, and of Alex and his paramour, Suzanne Neeger, taken in Switzerland in 1963. Both photographs represent the same individual who is recognized by Chicago Police and Federal Bureau of Investigation personnel as the person observed in almost daily contact and association with other top ranking hoodlums in Chicago. He is also identical with the individual about whom this correspondence concerns.

Alex actually resides in apartment 10 C at 1150 North Lake Shore Drive, Chicago, however, in order to hide his identity he has utilized his recently deceased mother's address, 9353 South Spaulding, Evergreen Park, Illinois, for mailing purposes. On numerous occasions Alex has been observed entering his mother's residence and has parked his automobile in front of this address. Her telephone number was Garden 8675, Area Code 312, which telephone was listed to Mrs. Nick Alex. It is noted that Alex called this number on several occasions while visiting Switzerland in the past.

COPIES  
14 NOV 1965

ENCLOSURE

92-3182-1117



Issues and Options for Discussion with  
 RE: GUS ALEX  
Former Attorney General Rogers, Katzenbach, and Clark  
ANTI-RACKETEERING

MD-116  
 ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 11-15-81 BY SP-1/MLK

It has been reported by the Swiss Center for the Study of the  
 I. Background Alex's employer, De Luxe Cigarette Service,  
 Incorporated, certified that he has worked in their publicity  
 department since 1957 and has never given any reason for  
 complaints. In the past few weeks the staff has presented the Committee  
 with evidence suggesting the following about the FBI's  
 internal security intelligence program:

It is noted that Alex claims income from this  
 company which company for years has been reportedly controlled  
 by hoodlums. Alex now is reportedly in charge of this company  
 having taken it over from a close friend and fellow hoodlum,  
 Edward Vogel. Alex on numerous occasions has been observed  
 at this location with his chauffeur and body guard Nathan  
 "Butch" Loden.

A. These individuals were not alleged espionage agents, but  
 citizens who fall within the FBI's vague definitions of  
 "subversion" and "extremism" -- purely homegrown "threats  
 to the national security". In 1958 Alex was summoned to Washington, D.C., to  
 appear before the McClellan Senate Rackets Committee investigating  
 hoodlum infiltration into labor and business in Chicago.

C. That FBI policy on "subversive" and "extremist" inves-  
 tigations was vague and subject to the following abuses:  
 Alex refused to cooperate and furnished no information, taking  
 refuge behind the 5th Amendment. He refused to answer all  
 questions except for his name and address.

1. overbreadth in scope in that groups were investigated  
 whose threats to the national security were tenuous,  
 if not non-existent.
2. collection of information on the personal life and  
 political views of subjects unrelated to the national  
 security.

3. the continuance of investigations well after it  
 should have become obvious that there was no legiti-  
 mate predicate.

Intelligence Section, Organized Crime Division, Chicago  
 Police Department, advised that Gus Alex is a top ranking  
 member of organized crime in Chicago and is closely allied  
 with the top ranking members of the hoodlum element. Duffy  
 advised further that he has maintained continuous investigation  
 of Alex for years and of Alex's associations with the De Luxe  
 Cigarette Service, Incorporated. Duffy stated that Alex  
 has been completely uncooperative and that there is no question  
 concerning his involvement with Chicago's underworld in  
 organized crime.

- D. Particularly invasive collection techniques were used,  
 including electronic surveillance, mail opening, and sur-  
 reptitious entries. Although these have been terminated,  
 the predominant and perhaps most insidious continues  
 today through the FBI's huge informant/confidential source  
 network.
- E. Information collected in the course of these investiga-  
 tions is disseminated regularly throughout the federal  
 government and to local law enforcement.
- F. Until 1971, information collected through these investi-  
 gations was disseminated as part of the COINTELPRO pro-  
 gram to the subjects' friends, relatives, employers, and  
 others in an effort to discredit or "neutralize" alleged  
 "subversives" or "extremists".

62-116395-  
 ENCLOSURE

1215X  
 9/21/82  
 106(e)

- 2 -

G. The FBI's internal security intelligence program was used by Presidents from Franklin Roosevelt to Richard Nixon to serve their political interests, usually by collecting information on critics or political

RE: GUS ALEX  
ANTI-RACKETEERING

H. The program was conceived and implemented in secrecy, and although parts of the program were shared with outside authorities from time to time, until now no President, Attorney General, or Congressional committee has been exposed to the entire program in detail.

I. The program is not authorized by statute but is founded on a series of secret or ambiguous Presidential orders, which in turn are based upon a questionable assertion of "inherent constitutional authority".

J. The program continues today, albeit on a much more limited basis than in the late 1960's and early 1970's, and the basic machinery for the program -- the huge informant/confidential source network -- is still operating.

K. There is no statute or internal Bureau or Justice Department policy prohibiting a new Director, Attorney General, or President from ordering the Bureau to expand the program to its earlier dimensions.

## II. Issues and Options

Among the issues and options which might be discussed with former Attorneys General in response to what the Committee has learned are the following:

A. Abolition. Elimination of the FBI internal security intelligence program as Attorney General Harlan Stone ordered in 1924 when confronted with abuses growing out of the FBI's first internal security intelligence program, such as the infamous Palmer raids.

In weighing this option, the Committee should consider the following issues:

1. Whether there are not some functions (e.g., protecting the President, preventing or at least predicting violence by terrorist organizations, or predicting civil disorders) which require intelligence collection.



## FEDERAL BUREAU OF INVESTIGATION

Chicago, Illinois  
November 4, 1965

- In weighing this option, the Committee should consider many of the issues set out under the first option and, in addition:



- 4 -

1. Whether meaningful and stringent guidelines can be written which do not so hamper the administration of an internal security intelligence program as to make the product not just marginal, as GAO suggests, but worthless.\*
2. In light of the possibility that the present Attorney General may address this matter via internal Justice Department guidelines, whether this approach does not ignore the legal authority question which can only be resolved by statute. *TO DIRECTOR FBI (92-3182)*
3. Whether or not Congress could draft a statutory version of the guidelines which could be flexible enough to meet an evolving threat and at the same time place meaningful restrictions upon the program. *FROM SAC CHICAGO (92-353) SUBJECT: GUS ALEX aka AB*
4. Even assuming there is no absence of legal authority, is it safe to leave these guidelines in the form of a departmental order which can be rescinded by the next Attorney General? *Enclosed are six (6) copies of a letter reflecting info relative to the identification of GUS ALEX. Also enclosed are three (3) photos.*

C. Delegation of Authority to Attorney General. Simply ratifying the present program via enactment of a statutory charter which grants the FBI authority to conduct an internal security intelligence program subject to its own internal guidelines or departmental guidelines as proposed by the Attorney General.

In weighing this option, the Committee should consider many of the issues set out above and:

1. Whether such a statute would not be an unconstitutional delegation of powers to the Executive Branch.
2. Whether enactment of such a statute would not represent a failure by the Congress to confront the issues raised above.

\*A preliminary staff analysis of the Attorney General's draft guidelines suggests that, despite months of conscientious and painstaking work by a departmental task force, the guidelines are not adequate. This analysis, which will be presented when Attorney General Levi testifies on December 10, indicates that several of the more questionable FBI investigations (e.g., of Dr. King and the women's liberation movement) would still be permissible under these proposed guidelines.

ENCLOSURE



- D. Legislative Inaction. Enact no new statute affecting the FBI's legal authority or the internal security intelligence program.

In weighing this option, the Committee should consider many of the issues set out above and, in addition:

1. Whether this failure to act might not leave the status of the program in doubt and subject to court challenge.
2. Whether this failure to act after full disclosure by the Bureau might not be taken by the FBI and the courts as a ratification of the program.

- E. Administrative Oversight by the Attorney General. The Justice Department should be required to exercise greater administrative oversight over the FBI's internal security intelligence program by Attorney General Levi, regardless of whatever other options Congress accepts.

In weighing this option, the Committee should consider the following issues:

1. Whether it is practical for the Attorney General or his staff to review thousands of such investigations each year.
2. Whether the Attorney General or his staff should review all or just the so-called "full" investigations.
3. Whether, to facilitate the conduct of such reviews, the Attorney General or his staff should be given "complete" access to Bureau files, including information regarding the identity and reliability of informants and confidential sources.
4. Whether it is possible to develop a staff of career attorneys within the Department with both the access and independence essential to the conduct of searching reviews.
5. Whether the Attorney General or his staff should not also be required to review various informant and so-called "intensification" programs, and the establishment of specialized indices (which have a significant impact upon which cases are opened) instead of just reviewing individual investigations in a vacuum as provided by the Attorney General's draft guidelines.



- 6 -

- Sue Alex*
- F. As Inspector General. In addition to the above options, an independent Inspector General should be created to investigate improprieties by the FBI. This option is advanced by those concerned about the inadequacy of the FBI's investigation of the disappearance of former Director Hoover's personal files, its limited inquiry into the so-called Atlantic City convention case, and the absence of any internal investigation of the abuses in the King case.

NAME AND ADDRESS IN THE UNITED STATES  
*Sue Alex*  
1353 S. Spaulding, Eugene, OR 97402

In weighing this option, the Committee should consider the following issues:

1. Whether it is possible to maintain the independence of an Inspector General within the Department of Justice when both the Inspector General and the Director of the FBI will be responsible to the same official, the Attorney General.
2. Whether the Inspector General should have "complete" access to Bureau files, including information pertaining to the identity and reliability of informants and confidential sources.
3. Whether an Inspector General with access to extremely sensitive information might not become a serious threat to the independence of the Bureau from political influence and to the civil liberties of American citizens.

- G. Congressional Oversight. In addition to the above options, the creation of an oversight committee(s) in the Congress, to which the Bureau would be required to report and which would have the power to investigate abuses.

In weighing this option, the Committee should consider the kinds of problems posed by the Justice Department oversight and Inspector General options discussed above to the independence of the FBI and the confidentiality of its files.

- H. Public Reporting and Disclosure to Subjects. In addition to the above options, the requirement that the FBI make frequent public reports on the details of its internal security intelligence programs and policies and reveal the details of improper intelligence investigations to the subjects of those investigations.