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UPI-90

(SURVEILLANCE)
 WASHINGTON --THE NIXON ADMINISTRATION'S INTERNAL SECURITY CHIEF
 SUGGESTED TODAY IN YET ANOTHER DEFENSE OF SURVEILLANCE THAT THE
 ASSASSINATION OF THE KENNEDY BROTHERS AND THE KENT STATE STUDENT
 SHOOTINGS MIGHT HAVE BEEN AVOIDED BY BETTER GOVERNMENT INTELLIGENCE.
 ASSISTANT ATTORNEY GENERAL ROBERT C. MARDIAN OFFERED THESE INCIDENTS
 IN A NEW DEFENSE OF THE GOVERNMENT'S RIGHT TO GATHER INTELLIGENCE AND
 ITS RESPONSIBILITY TO INSURE THE RIGHT OF ALL INDIVIDUALS TO FREELY
 ASSEMBLE AND EXERCISE THEIR FIRST AMENDMENT "RIGHTS OF FREE SPEECH."
 RECENT TRAGIC EVENTS IN THE LIFE OF OUR NATION AND THE ENSUING
 INVESTIGATION INTO THE CAUSES OF SUCH INCIDENTS AND WAYS TO PREVENT
 THEIR RE-OCCURRENCE POINT TO THE ROLE OF GOVERNMENT IN INTELLIGENCE-
 GATHERING AS AN OBLIGATION RATHER THAN A RIGHT, OR PRIVILEGE," HE SAID.
 MARDIAN DELIVERED A LAW DAY SPEECH TO THE FEDERAL BAR ASSOCIATION
 TITLED "THE GOVERNMENT'S INTELLIGENCE FUNCTION -- A RIGHT OR
 OBLIGATION?"
 HE QUOTED THE WARREN COMMISSION REPORT ON THE ASSASSINATION OF
 PRESIDENT JOHN KENNEDY IN DALLAS NOV. 22, 1963, WHICH SAID: "THE
 COMMISSION BELIEVES ... THAT THE FBI TOOK AN UNDULY RESTRICTIVE VIEW
 OF ITS RESPONSIBILITIES IN PREVENTIVE INTELLIGENCE WORK PRIOR TO THE
 ASSASSINATION."

NOT RECORDED
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IF, AS THE COMMISSION SUGGESTED, THE BEHAVIOR PATTERNS OF INDIVIDUALS TOWARD GOVERNMENT MAY INDICATE THEIR PROPENSITY FOR VIOLENCE AGAINST ITS LEADER, MARDIAN ASKED, "HOW CAN WE BE AWARE OF SUCH INDIVIDUALS WITHOUT ACCURATE DETAILED INFORMATION?"

"ARE WE NOT OBLIGATED," HE SAID, "TO TAKE EVERY MEASURE TO SEE TO IT THAT A TRAGEDY OF THE MAGNITUDE OF A PRESIDENTIAL ASSASSINATION DOES NOT RE-OCCUR?"

TURNING TO THE ASSASSINATION OF THE PRESIDENT'S BROTHER, SEN. ROBERT F. KENNEDY, FIVE YEARS LATER, FOLLOWING A POLITICAL RALLY, MARDIAN SAID HE THOUGHT IT FAIR TO POSE THE QUESTION IN THE LIGHT OF RECENT ACCUSATIONS AGAINST THE FBI.

"HAD THE ASSASSINATION NOT OCCURRED, AND THE PRESENCE OF THE FBI BEEN PUBLICLY NOTED, WOULD IT NOT HAVE BEEN ACCUSED OF SURVEILLING A POLITICAL RALLY?" HE ASKED.

"BASED UPON THE RECENT REACTIONS OF SOME POLITICIANS AND POLITICAL COMMENTATORS, I CAN ONLY CONCLUDE THAT THE GOVERNMENT CAN NEVER BE RIGHT. IT IS DAMNED, IT SEEMS IF IT DOES AND DAMNED IF IT DOESN'T."

MARDIAN REFERRED TO CRITICISM THAT GOVERNMENT ENFORCEMENT AGENCIES SHOULD HAVE KNOWN ABOUT THE PRESENCE OF SEN. KENNEDY'S ASSASSINS AT THE LOS ANGELES RALLY.

THE KILLING OF FOUR STUDENTS BY THE OHIO NATIONAL GUARD DURING DEMONSTRATIONS AT KENT STATE UNIVERSITY LAST MAY 4 "ALSO TEACHES SOME HARD LESSONS ABOUT THE NEED OF GOVERNMENT TO HAVE FULL AND ACCURATE INFORMATION," MARDIAN CONTINUED.

"IT IS MY BELIEF THAT THE TRAGEDY AT KENT STATE WAS THE RESULT OF THE MEN (GUARDSMEN) NOT KNOWING INITIALLY WHAT TO EXPECT, AND THEN BUILDING EXPECTATION ON THE ONLY INFORMATION THAT HAD -- RUMOR," HE SAID.

"I CANNOT HELP BUT WONDER: WHAT WOULD HAVE HAPPENED, IF BECAUSE OF THOROUGH INFORMATION, LAW ENFORCEMENT PERSONNEL HAD KNOWN FROM THE BEGINNING WHO MIGHT BE A POTENTIAL DISRUPTER AND WHO MIGHT BE A POTENTIAL PEACE MAKER?" HE SAID.

4-27--NW106PD

I can't tell from the way Mardian jumbles which side of his mouth he is speaking from.