

Memorandum

TO : MR. TOLSON

DATE: 4/28/64

FROM : A. H. Belmont

cc Mr. Belmont
 Mr. Mohr
 Mr. DeLoach
 Mr. Tavel
 Mr. Sullivan
 Mr. Rosen

SUBJECT: THE PRESIDENT'S COMMISSION

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

It seems to me that a very telling point in our position with the President's Commission will be to point out that there is a continuing need to balance security measures against the rights of the individual. This is a country of government by law, and not men; therefore, such measures as are taken against individuals and organizations, even in such an important area as the protection of the President, must be done according to law, and not at the whim of the government. To do otherwise would set a most dangerous precedent, which could be applied by unscrupulous or power-hungry authorities in the future, and which would strike at the very heart of our free society.

It is a relatively simple thing to increase security, but such increase in security requires controls and loss of individual liberty. For example, in some countries where a free society does not exist it is a simple matter to arrest or detain all those who may be considered dangerous, but inevitably the process extends itself to arrest of those who disagree with authority or who incur the personal displeasure of those in authority. Even in our neighboring South American countries there has been a procedure, when there are visiting dignitaries, of rounding up several thousand persons, without warrants, and holding them until the dignitary leaves. This poses no particular problem in those countries because there is not the free society we have and, therefore, the persons detained have no redress.

The FBI regards its awesome responsibility in the field of security as a sacred trust--to effect and preserve the internal security of our country and its people to the maximum degree possible, but within the law and in such a manner as to strengthen, not weaken, our free society. A classic example of this is our attack on the Communist Party-USA, which we regard as a menace to the country. This attack has been carried forward in the courts, and by education of the people, not by persecution of individual communists.

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Up to the time of the assassination of President Kennedy, we faithfully called to the attention of Secret Service those persons who, by word or action, appeared to have a potential for violence against the President. The files of Secret Service are loaded with such references from the FBI. Secret Service was able to put these persons under observation, or have the police take action, because of the record of the individual as a threat against the President.

Since the assassination, we have voluntarily increased dissemination to include persons affiliated closely with subversive or radical groups which adhere to the principle of violent revolution or unlawful seizure of authority. We have done this rather fearfully because this approaches the area of controls applied against a man's thoughts, rather than his actions. Secret Service solicits local police assistance to control the activities of such persons when the President visits the particular locality. Already we have been advised that protests concerning such controls are imminent as a violation of the rights of the individual. In Chicago the police notified several persons to stay indoors or that they would be accompanied by police as long as the President was in town.

No one deplors the shocking assassination of the President more than the FBI, and no one desires more to avoid such a catastrophe in the future. However, Secret Service and the police must understand that the handling of security information requires judgment, and in their eagerness to apply safeguards they must not lose sight of the fact that the cure may be worse than the ailment.

During the visit of Messrs. Willens and Stern of the President's Commission, on 4/27/64, to our Files Section, at which time they were given a full briefing on our filing and name check procedures (Mr. Tavel is writing a separate memorandum on this), the question of our broadened dissemination since the assassination came up, and Mr. Stern made the observation that this was a better procedure than previously in effect. I considered it advisable to immediately point out that we have never

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had a list of criteria from Secret Service as to what they are interested in; that we have tried to furnish that information which would be helpful, and that we are frankly apprehensive as to whether the information we furnish under these broadened criteria will be handled properly. I went into a discussion of the points set out above, and made it clear to these gentlemen that there is no formula which is a panacea for the problem involved here in protecting the President; that we are concerned about the indicated repercussions from actions such as the police took in Chicago, and which will be repeated elsewhere, and that there has to be a balancing between the needs of security and the rights of the individual.

I pointed out that a member of the President's party in Dallas, after the assassination, had stated simply that security and politics do not mix, and that President Kennedy chose politics. I pointed out that if the President's car had been moving, say, at 25 miles an hour, instead of 10 or 12 miles an hour, and if two Secret Service men had been standing on the back of the President's car, the security would have been far greater. I pointed out that, even today, President Johnson mixes with crowds and on his travels insists on mingling with the people, and these are factors that must be considered.

My purpose in going into this was to slow these men down so that they realized that the question of furnishing information to Secret Service is only a small part of the security picture.

For information.

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