

Aides Split on Protection for Kennedy

By NAN ROBERTSON

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WASHINGTON — The men who must decide which 1972 Presidential candidates will get Secret Service protection are still divided over whether it can or should be offered to Senator Edward M. Kennedy.

On Thursday, a commission made up of the four Democratic and Republican leaders of Congress and a public member, Thomas H. Kuchel, a former Republican whip in the Senate, recommended a formula to Treasury Secretary John B. Connally, whose department includes the Secret Service. But the formula does not resolve the problem.

The formula would provide 24-hour guards starting March 20 for "announced candidates" who are preferred by at least 5 per cent of those surveyed in either the Harris or Gallup Poll or "unannounced candidates" scoring at least 20 per cent. Mr. Kennedy falls in a third category—an announced noncandidate.

The Massachusetts Senator has said publicly and privately for months that he will not run for the Presidency in 1972. On Jan. 14, he signed an affidavit that he was not now and did not "presently intend" to seek the office, which kept his name off the Democratic primary ballot in Florida.

Mr. Connally, who was gravely wounded by John F. Kennedy's assassin in 1963, must now determine with the commission whether the slain President's youngest brother is eligible under the law.

The Senate Democratic lead-

er, Mike Mansfield, a commission member, has contended that Mr. Kennedy deserves protection "because the public thinks he is" a candidate. In the Harris Poll published in December, he was preferred by 25 per cent of the Democrats surveyed. In the Gallup list made public last Sunday, he got 27 per cent, five points behind Senator Edmund S. Muskie of Maine.

It has been estimated that around-the-clock Secret Service protection will cost between \$190,000 and \$200,000 a month for each candidate.

One official source put the number of agents to be assigned to each candidate and his immediate family at "between 50 and 100." The National Journal recently estimated that "about 85" would be on each detail, and that "with days off and normal eight-hour tours of duty, 20 to 25 agents will be guarding each eligible candidate and his family at any one time."

The Secret Service will not divulge the number of men in each detail.

Mansfield's Viewpoint

A total of 526 new Secret Service agents have been hired over the last three years to perform the task in 1972, bringing the entire candidate protection force to 720. By now, 11 Democrats and two Republican challengers to President Nixon have announced their candidacy for the Presidency.

Among these, Senator Muskie and Senator Hubert H. Humphrey are certain of protection based on the latest polls; five other Democrats will probably get it, and the rest of the announced Democrats fall below the cut-off line of 5 per cent. In a Gallup poll in September, 1971, Representative Paul N. McCloskey Jr., Republican of California, made a showing of 13 per cent.

The decision announced Thursday by the Candidate Protection Advisory Commission contained a clause saying

that it was "subject to the legal determination of the Secretary of the Treasury as to eligibility under the law."

A commission staff member said later, "The question now to be resolved is, could we afford, under the law, protection to a noncandidate?"

The bill that Congress approved June 6, 1968, after the assassination of Mr. Kennedy's brother Robert following his victory in the California Presidential Primary is vague in language.

It grants protection to "persons who are determined from time to time . . . as being major Presidential or Vice-Presidential candidates . . . [unless the candidate has declined such protection]."

But if the Treasury wished to limit its protective activities, it could use the narrow definition contained in the Revenue Act of December, 1971, which defines as a candidate someone who "has publicly announced that he is a candidate . . ."

Richard Drayne, Mr. Kennedy's press secretary, said that the commission had not been in touch with Mr. Kennedy, but "if Secret Service protection were presented to Kennedy in a way that would imply he was a candidate, he would be obliged to turn it down."

On the other hand, Mr. Drayne said, "clearly, Secret Service protection would be valuable to Kennedy."

The Senator is planning to campaign extensively for Democratic candidates this year, and there is deep concern for his safety.

The latest Harris "open primary" survey shows four Democrats at or near the 5 per cent cut-off line. They are former Senator Eugene J. McCarthy, Mayor Lindsay of New York, Senator George McGovern and Senator Henry M. Jackson.

The fifth Democratic candidate probably in line for protection is Gov. George C. Wallace of Alabama, who has made an 11 and 12 per cent showing in Harris polls.

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If ENK's ambiguity re '75 appeared here, didn't see. There was a bit, much less than this NYT story, on protection. My own belief is that Teddy, very seriously, will not run now (he is only 40 anyway), he and his are (and should be) deeply worried, and the job is needed and too big for the Secret Service. All the official nonsense about lone nuts is going to trigger one. There are too many to be kept tab on, and there is no way were this not the case. What I really fear is that the not-uncommon brilliant one will get the idea, whether or not he does it "Duncan" like. Our kind of life manufactures the sick in the head. I saw a novel right away in that Gravel threat, proposed it to a friend in publishing as a collaboration, he has a collaborator, and has done nothing.

But suppose one of this kind of mind were to play the cat-mouse game with the SS, feeding them all the clues they'd not see, having neither the sophistication nor the scholarly knowledge and not conceiving they could or should consult? I have been worried about ENK as I was about RPK (and I predicted his the Jan previous to Uhrh in writing). The sit. is ripe for the exploitation of one by the sinister. I have been leaning on ENK's people since first occasion after RPK got it. However, as I've thought the Ned thing through, I've concluded my handling this in PM merely one of his excuses for something else, including ego. I am, for example, still wondering if he reached Harshall with bad advice, as he could on his own or thru. Katzenbach. This is much more complicated a matter than surface shows. H