

# Guarding The President vs. Citizens' Rights

By PHILIP SHABECOFF  
Special to The New York Times

WASHINGTON, Sept. 9—  
“How could it happen?” appalled Americans asked last week after a young woman known to be an associate of the convicted murderer Charles M. Manson approached within arm’s length of President Ford and pointed a loaded gun at him.

The answer, it would appear after over a decade of sharply increased Presidential security following the assassination of President Kennedy, is that there can be no foolproof way to safeguard a President without harsh security measures that would infringe on the privacy and civil liberties of American citizens.

Indeed, some commentators at law schools and in Congress express the fear that security measures by the Secret Service, the Federal Bureau of Investigation, the Central Intelligence Agency and other Government agencies, using computers and other advanced technologies, already pose a growing danger to individual liberties.

While there was much praise for Larry M. Buendorf, the Secret Service agent who quickly wrested the gun from Lynette Alice Fromme before a shot was fired, questions have been raised about whether the Secret Service had adequately performed its mission of protecting the President.

## Not in this Country

One former Government security agent bristled when a companion raised the question. “Would you be willing to pay the price if it meant your name and my name and millions of other names would have to be kept in Secret Service dossiers?” he asked. “Would you be willing to have agents put hundreds of people in

protective custody every time the President visits the neighborhood?”

In police states, the former agent commented, the chief of government is protected by long lines of soldiers that stand between him and the citizenry and by mass arrests of opponents.

That is not the way things are done in this country,” he said. “Given the circumstances, the Secret Services does a good job.”

Miss Fromme’s name was not in the Secret Service data bank of potential threats to the security of the President. James T. Burke, assistant director of the service, said today that there was no file on her because the service had received no reports of any threats she had made against the President or anyone else under its protection.

## Thousands of Names Ont

But Mr. Burke said, in testimony at hearings on the proliferation of surveillance technology conducted today by the Select Subcommittee on Constitutional Rights, that the data bank now carries 38,947 names in its “active” file of threats to Presidential security, after recently retiring thousands of names to its inactive list.

Moreover, he said, the service receives 200,000 pieces of information yearly on people thought to be dangerous to the President from the F.B.I., local police agencies and other sources.

The subcommittee hearings are largely a reflection of Congressional concern that there is too much, not too little, governmental surveillance of citizens.

The subcommittee chairman, Senator John V. Tunney, Democrat of California, in his opening statement raised the specter of “an Orwellian nightmare” of excessive electronic

snooping on American citizens by Government agencies such as the Secret Service.

Senator Tunney said that what the subcommittee had discovered so far about government use of technology for surveillance was “discouraging.”

“No one seems to be in charge,” he said. “New technologies are developed and seem to be allowed to spread without thought for their future social and political ramifications or for the ease with which they can be surreptitiously abused.”

Mentioning the Watergate revelations, disclosures of C.I.A. spying on Americans and a recent survey indicating that 52 of 60 Federal agencies conducted electronic monitoring of their own employes, Mr. Tunney said:

“Today it is important that Congress and the public begin to assert their control over the tools of surveillance before we have lost forever the ability policies in this area of public concern.”

Arthur R. Miller, a professor at Harvard Law School who is an authority on the issue of privacy, also expressed concern about the compilation of data on citizens by the Secret Service in the name of protecting the President.

“In its grossest form, the data bank is just another enemies list,” he declared.

## Each on Ea Own Mission

The problem is, Mr. Miller said, that each agency that conducts security and surveillance operations focuses narrowly on its own mission: The Secret Service on protecting the President, the F.B.I. on law and order, the C.I.A. on preventing foreign espionage.

Meanwhile, there is no overseeing of these operations, no authority to make sure that the rights of citizens are respected, he added.

The protection of the President and the preservation of individual privacy and liberty are not mutually exclusive, Mr. Hiller said, but he added that it was necessary to develop parameters on whose record was put in the data bank and whose was not.

He raised the question whether the Secret Service might have been able to spot a real threat like Miss Fromme in advance if it did not, as he put it, waste time accumulating data on political dissidents allegedly included in its list of potential threats.