

REVIEW OF SECRET SERVICE PROTECTIVE MEASURES

HEARINGS BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE NINETY-FOURTH CONGRESS FIRST SESSION

Printed for the use of the Committee on Appropriations

SPECIAL HEARING



5181-64

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1975

50-253 O

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(II)

**TREASURY, POSTAL SERVICE, AND GENERAL
GOVERNMENT APPROPRIATIONS FOR FISCAL
YEAR 1976**

TUESDAY, SEPTEMBER 30, 1975

**U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.**

The subcommittee met at 10 a.m., in room 1114, Everett McKinley Dirksen Office Building, Hon. Joseph M. Montoya (chairman) presiding.

Present: Senators Montoya, Eagleton, McClellan, Bellmon, and Young.

DEPARTMENT OF THE TREASURY

OFFICE OF THE SECRETARY

REVIEW OF SECRET SERVICE PROTECTIVE MEASURES

**STATEMENT OF HON. WILLIAM E. SIMON, SECRETARY OF THE
TREASURY**

ACCOMPANIED BY:

DAVID R. MACDONALD, ASSISTANT SECRETARY OF THE TREASURY FOR LAW ENFORCEMENT

H. STUART KNIGHT, DIRECTOR OF THE SECRET SERVICE

JAMES T. BURKE, ACTING ASSISTANT DIRECTOR (PROTECTIVE INTELLIGENCE)

RICHARD L. THORNBURGH, ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, DEPARTMENT OF JUSTICE

FRANCIS A. LONG, ASSISTANT DIRECTOR FOR ADMINISTRATION, SECRET SERVICE

OPENING REMARKS BY CHAIRMAN

Senator MONTOYA. The subcommittee will be in order.

This morning we will receive testimony from the Honorable William E. Simon, Secretary of the Treasury, and Mr. H. Stuart Knight, Director of the U.S. Secret Service.

This testimony will concern protective intelligence operations of the Secret Service.

Once again this past week, we Americans experienced an attempted assassination of the President of the United States. Once again we were reminded of the difficult and awesome responsibility which we

have assigned to the Secret Service for the protection of the President, the Vice President, and other officials and political candidates.

Within a 17-day period, two attempts were made upon the life of President Ford. In neither case was the Government apparently aware that the person using a gun was a potential threat to the life of the President.

In neither case had preventive surveillance been ordered. In neither case was the name of the person involved on the computerized list of those who are considered dangerous and a possible threat to the President.

The public is deeply concerned about the increasing number of vicious acts which take place, threatening the safety of officials or candidates within our political system.

Since 1963, we have witnessed the assassination of a President, a Presidential candidate, and a civil rights leader. We have seen the attempted assassination of another Presidential candidate.

The two recent attempts upon the life of the President have now underlined the need for us to review the protective measures of the Secret Service.

This subcommittee will examine available options and look for solutions to these problems. We must make sure that adequate resources, money, and manpower have been made available to the Secret Service.

We must make sure that we have taken all possible sensible legislative steps to provide the Secret Service with authorization to do the job we have asked it to do. We must consider the system which the Secret Service is now using to make certain that it is the best and most effective way this job can be done.

We want to try to develop ideas as to what changes could be made, either in the law or in the procedures within the Secret Service to make the security of the protectees and their families more certain.

In examining this problem, we must be aware of the need within our system for give-and-take between the voters and their elected representatives or candidates for office.

This give-and-take cannot include bullets or violence. Bullets do not change minds; they simply put our political system out of operation. In attempting to prevent violent acts, however, we must carefully balance the rights of all citizens to free political expression and the rights of all citizens to be protected against physical harm to themselves or to their elected officials.

In these hearings, we will attempt to clear up the uneasiness on the part of the public and the Congress and the protective unit of Secret Service itself. I want to state at this point that the subcommittee is aware of the fact that certain parts of the Secret Service protective operation cannot be discussed in a public forum without compromising the safety of protectees. These matters will not be discussed.

The subcommittee staff recently completed a review of these operations and their report concluded inter alia that the agents observed were dedicated and impressive in operation. The Secret Service has always been candid in its appearance before this subcommittee, and I appreciate that.

This hearing is not intended to be accusatory in nature or to indicate that any member of the subcommittee has doubts about the integrity or dedication of Secret Service personnel.

The Chairman and members of the subcommittee will insist on and will conduct this hearing in a manner that will not endanger the rights of persons that might be accused in connection with any of these acts.

We will try to do our utmost to protect the rights of those individuals and not have any dissemination of undue newsworthy statements from this forum.

Before I call upon the first witness, the Secretary, I would like to concede to the other members of the subcommittee the opportunity to make any statement they wish to make. Senator Bellmon.

STATEMENT BY SENATOR BELLMON

Senator BELLMON. Thank you, Mr. Chairman.

First, I would like to congratulate our Chairman upon the prompt decision to hold these hearings in such a timely manner. The two recent attempts on the life of President Ford have focused the attention of millions of Americans upon the system of security used to protect the President against those who would do him harm.

Also, let me congratulate the Secret Service for the activities they carried on which contributed to the protection of the President from the two would-be assassins.

Mr. Chairman, during these times when the attention of the country is focused upon these hearings, it seems we have the unique opportunity to examine the level of funding for the Secret Service, the extent of the authority which the Secret Service has to protect public officials and foreign dignitaries, and the public's understanding and acceptance of measures which may be necessary in light of current realities. It is my hope that our witnesses will be prepared to give us needed guidance so that Congress can provide the support which the Secret Service may need to meet their responsibilities.

The large number of assassinations and attempted assassinations which have stained the American political scene in this decade are a national tragedy and a national disgrace.

This subcommittee has the heavy responsibility of recommending actions to diminish and, hopefully, eliminate future tragedies of this kind. Our witnesses can do a major service to the subcommittee and the country by sharing with us their knowledge in their statements and in candid responses to our questions.

At the same time, Mr. Chairman, I believe we will need to keep continually in our minds the fact that legal action aimed at determining the guilt and appropriately punishing those involved in the recent attempts on the President's life are now underway.

Our witnesses will need to be given the opportunity to avoid discussing matters which may impact unfavorably upon any prosecution which the Justice Department may undertake.

The *Delaney* decision of the First Circuit of the U.S. Court of Appeals, October 10, 1952, bears on this matter. In this decision, the court stated:

But the prejudicial effect upon Delaney, in being brought to trial in the hostile atmosphere engendered by all this pre-trial publicity, would obviously be as great, whether such publicity were generated by the prosecuting officials or by a congressional committee hearing. In either case he would be put under a heavy handicap in establishing his innocence at the impending trial.

Hence, so far as our present problem is concerned, we perceive no difference between prejudicial publicity instigated by the United States through its executive arm and prejudicial publicity instigated by the United States through its legislative arm.

The court further stated:

We think that the United States is put to a choice in this matter: If the United States, through its legislative department, acting conscientiously pursuant to its conception of the public interest, chooses to hold a public hearing inevitably resulting in such damaging publicity prejudicial to a person awaiting trial on a pending indictment, the United States must accept the consequence that the judicial department, charged with the duty of assuring the defendant a fair trial before an impartial jury, may find it necessary to postpone the trial until by lapse of time the danger of the prejudice may reasonably be thought to have been substantially removed.

Mr. Chairman, I believe the subcommittee would be well advised to keep this warning constantly in mind as the hearings proceed.

Mr. Chairman, again I congratulate you for your prompt action in scheduling these hearings and I look forward to the contributions our witnesses can make in helping us decide proper procedures to follow in dealing with this vitally important matter.

Senator MONTROYA. Senator McClellan, do you have any statement to make?

Chairman McCLELLAN. No comment at this time, Mr. Chairman.

Senator MONTROYA. Senator Young?

STATEMENT BY SENATOR YOUNG

Senator YOUNG. Mr. Chairman, I want to commend the Secret Service for the good job it has been doing protecting the President, and Presidential candidates, and other public officials.

This is a very difficult job, and the public wants to see the candidates and the candidates want to get close to the public and the Secret Service has responsibility in trying to protect them. I understand how difficult it is to protect the individual concerned.

Senator MONTROYA. Senator Eagleton, do you have a statement.

STATEMENT BY SENATOR EAGLETON

Senator EAGLETON. Yes, I will be brief, Mr. Chairman. I appreciate the opening statement made by the chairman, and I thoroughly agree with that portion of it that said something to the effect that these hearings are not to be accusatory in nature. It is not our purpose to scapegoat the Secret Service, Mr. Chairman.

May I say I enter these hearings with an admitted personal bias. For 3 weeks in the summer of 1973 during my brief sojourn as the Democratic Vice Presidential nominee I had Secret Service protection. May I say that in all instances it was my belief that the Secret Service discharged its duties in a thoroughly responsible manner.

I think they are a dedicated group of courageous men. They deserve far more praise than they do Monday morning quarterback condemnation.

Thank you, Mr. Chairman.

Senator MONTROYA. I welcome the Honorable William E. Simon, Secretary of the Treasury and Mr. H. Stuart Knight, Director of the Secret Service.

Mr. Secretary, I understand you have a prepared statement. I also understand that you have to proceed to another congressional committee to testify.

I will try to be as brief as I can with you after you present your statement and I will defer asking you some of the questions and, in turn, ask them of Assistant Secretary Macdonald. You may proceed, sir.

Secretary SIMON. Thank you, Mr. Chairman.

STATEMENT BY WILLIAM E. SIMON, SECRETARY OF THE TREASURY

The other committee graciously postponed my longstanding appearance in order to appear here. I am delighted to appear before this subcommittee which, under your leadership, Mr. Chairman, has provided both conscientious oversight and knowledgeable support to the Secret Service.

While we all regret the circumstances which have precipitated this hearing, this subcommittee presents a most appropriate forum for all who share our mutual concern that the protective mission of the Secret Service be executed as effectively as possible, consistent with our free society.

We should recognize at the outset that those who have been closely associated with the Secret Service, as I have, are almost invariably among its leading supporters. The agents of the Secret Service are highly competent, well-trained individuals and, as they have shown time and again, they are also wholly dedicated to their mission.

The U.S. Secret Service is charged with one of the most difficult and delicate tasks within our Government, and over the years its agents have performed in an extremely professional and exemplary manner.

At the same time, as those agents would be the first to agree, the protective work of the Secret Service must be subjected to continual scrutiny. We can never be totally satisfied with the quality of protection, but must always seek improvements.

Since becoming Secretary of the Treasury, there have been a number of evaluations of the Secret Service undertaken and as a result of two recent alleged assassination attempts on the President, I have directed that an evaluation of the Secret Service protective function be intensified and reviewed directly by the Treasury Department.

Members of the Treasury Department staff are currently engaged in this effort. It is our hope that these hearings, Mr. Chairman, will further contribute to the ongoing attempts to improve the quality of Secret Service protection.

I know that you recognize the vital considerations which compel us to refrain from public discussion regarding the details of the protective operations of the Secret Service and the pending criminal litigation evolving from the recent incidents in California.

Because the public has, as expected, voiced such an interest in the subject of this hearing, it may be beneficial to both those who report it and those who read about it to know the reason that, in the face of strongly expressed concerns, the Secret Service must remain silent in public on matters relating to its protective procedures as well as matters relating to an ongoing criminal investigation and pending litigation.

In the first place, Mr. Chairman, our policy has always been and shall continue to be one of maintaining the confidentiality of the particular protective practices of the Secret Service, because to expose these matters is to create a new danger to our protectees.

That is particularly true when the hearings are held in public within full view of those who wish to watch these proceedings on television.

Moreover, although we will be happy to cooperate in answering questions relating to the functioning of the Secret Service or any other Treasury bureau, we think it undesirable to inquire extensively in this public session into the incidents involving Lynette Fromme and Sara Jane Moore.

We ask this, Mr. Chairman, because one of the basic precepts in ensuring that the accused enjoys due process of law is the prohibition against, or judicial remedies for, prejudicial publicity. Such publicity is particularly of concern at the pretrial stage.

The Treasury Department, the Department of Justice, and the Federal Government as a whole have an obligation to refrain from actions which might diminish the rights of a criminally accused individual.

Concomitantly, we have an obligation to the American people and our system of justice to avoid any conduct which might prevent a criminal case from being adjudicated on the evidence and instead cause its dismissal on matters which do not go to the substance of guilt or innocence.

Therefore, Mr. Chairman, we are hopeful that this public hearing can accommodate these differing rights: the right of the Congress and the people to know how their Government is operating; the right of officials protected by the Secret Service to enjoy the maximum security attainable in a free society; and the right of both the prosecution and the accused to a fair trial free of prejudicial publicity.

We are, of course, prepared to discuss with the subcommittee the general development of the protective intelligence activities of the Secret Service and the continuing search, since the report of the Warren Commission, for a refined and accurate procedure for identifying those individuals who pose a real threat to any of our protectees.

This is a task which is yet to be achieved and will never be totally achieved since we are dealing with an inexact science. To give some perspective on the magnitude of the task facing the Secret Service, it should be noted that in a single year the Secret Service screens 200,000 pieces of information regarding persons of possible protective interest; as a result of this information, it interviews 4,000 people a year in connection with its protective responsibilities; it arrests approximately 60 people a year as a result of distinct threats made against protected officials; and it identifies 275-300 people who merit special attention in connection with each trip of a protected official.

We are also prepared to discuss the scope of review which we are conducting of the protective operations of the Secret Service. I sincerely hope that our discussions with you, Mr. Chairman, and the other distinguished Senators present today concerning the overall performance and adequacy of funding of the Secret Service can benefit the accomplishment of its protective mission.

As we have arranged, Mr. Chairman, I will have to leave in order to appear before another committee which was so gracious as to

shift the time for my previously scheduled testimony in order that I could be here this morning.

Assistant Secretary David R. Macdonald will carry on for me in responding to your questions, and he will be joined by Mr. Richard L. Thornburgh, Assistant Attorney General of the Criminal Division, Department of Justice.

Thank you.

REEVALUATION OF THE OPERATIONS OF THE U.S. SECRET SERVICE

Senator MONTROYA. Mr. Secretary, before you leave, I would like to ask you several questions. You stated that there has been a reevaluation going on of the operation of the Secret Service. Do you have any indication at the present time as to what has developed as a result of the reevaluation?

Secretary SIMON. No. We are not going to have an opinion for sometime, Mr. Chairman, because this evaluation is an indepth study of the events that have occurred, and of our constantly attempting to tighten up the protective function and recognizing its severe limitations.

Senator MONTROYA. Was this reevaluation triggered by the recent events?

Secretary SIMON. Yes, sir, although evaluation is always ongoing.

Senator MONTROYA. When did you initiate this study?

Secretary SIMON. We initiated the first phase of it prior to and intensified it after the first attempt and intensified it again the second one, Mr. Chairman.

Senator MONTROYA. What kind of a team do you have doing the reevaluation?

Secretary SIMON. It is a compilation of all of the events of recent days relating to our pretrip work, and the particular trips that were made and in future trips, how we might broaden, if possible, the pretrip function to identify these various individuals that might appear to be dangerous. We are looking at every aspect to attempt to maximize our ability to protect the candidates.

Senator MONTROYA. Is it also your intention to reevaluate the listing of possible, potential assassins and those who might threaten the life of the President and to list them in some kind of a list?

Secretary SIMON. It most certainly is, Mr. Chairman. Of course, this has a tendency to accentuate, which is one of the thoughts I had, appreciating the purpose of this hearing.

But we have to be extremely cautious that it does not exacerbate a very serious matter, and I think we all know what I am referring to.

As illustration, within the first 20 days of September, Mr. Chairman, we have approximately 320 threats against the President of the United States. This is in the first 20 days. This would compare to an average of 100 to 110 during a similar period in recent times.

I think it is generally felt that all of this publicity tends to invite these deranged human beings to come out and while I recognize that this is a very fine line and one for which there is no clear-cut answer, all the publicity that is attached to all of these individuals, I believe, tends to exacerbate the problem. I seriously question the value of all of this publicity, while attempting to weigh the cost-

benefit and the responsibility of the press to tell the American people what is happening.

That is their responsibility in a very straight fashion. But when these people are glamourized on the front pages of our national magazines, I think that this has to be thought of as doing great harm as far as inviting other attempts, Mr. Chairman.

**COORDINATION BETWEEN SECRET SERVICE AND LOCAL LAW
ENFORCEMENT AGENCIES**

Senator MONTROYA. Is it your intention to extend this reevaluation to the type of coordination that has been going on between the Secret Service and the local law enforcement agencies?

Secretary SIMON. That is part and parcel of the function, working with the local law enforcement offices who provide us with very significant and very important information, Mr. Chairman.

Senator MONTROYA. Do you think that that coordination in the past has been adequate or that it should be more extensive?

Secretary SIMON. We think that we have maximized it and we are doing everything that we can, but that doesn't mean that we are going to say that nothing is going to improve, because I am sure we can constantly improve and we are never, as I said in my prepared statement, satisfied, Mr. Chairman, that we are doing everything that we can to protect the President of the United States and other members of the Administration.

Senator MONTROYA. Will this encompass the coordination between the Secret Service and the Federal Bureau of Investigation?

Secretary SIMON. Yes, sir, it certainly does. We avail ourselves of all possible information when the President or other protectees are moving into an area.

Senator MONTROYA. You have a list of possible assassins or those who might threaten the life of a President. Does the FBI, to your knowledge, have such a list also?

Secretary SIMON. They transmit information to us. We are the recipients of this because this is our particular responsibility. But yes, we do keep a list.

Senator MONTROYA. You are a protectee and recipient of protection from the Secret Service. What has been your experience?

Secretary SIMON. My experience is that they are a highly dedicated, professional group of people who carry out the protective mission 100 percent. They just could not do any better in attempting to carry out this function, recognizing again—I always have to say this—the limitations involved in this open society and the access that the American people have always had and, indeed, should have to public officials.

Senator MONTROYA. Do you believe that the central question facing us here today is whether the President chosen for his job or fallen heir to it can move among people, shake their hands, speak with them, mingle, and come out alive?

Secretary SIMON. That is certainly an issue and I feel quite strongly about it and I know President Ford does too. Again, our system has always been a free, open, democratic system where our Presidents and our public officials and anyone who achieves notoriety could mingle with safely. I do not believe, Mr. Chairman, that we should endanger this free society because of a few nuts.

Senator MONTOKA. Senator McClellan, do you have any questions?

Chairman McCLELLAN. No questions, Mr. Chairman. I want to compliment the Chairman and also Secretary Simon on their opening statements. I think the two of you have set these hearings in their proper perspective. If pursued in this manner, I think something will come of it and at the same time, there are certain functions and activities that have to remain in confidence. It will be protected.

I trust that there will be some enlightenment that will lead us to some efforts and actions that will allow greater protection for our President by those who have the protective service.

Thank you.

Senator MONTOKA. Senator Young?

Senator YOUNG. No questions.

Thank you.

Senator MONTOKA. Senator Bellmon?

Senator BELLMON. Thank you, Mr. Chairman.

PUBLICITY SURROUNDING AN ASSASSINATION ATTEMPT

Mr. Secretary, you stated that you feel the publicity that attends an assassination attempt exacerbates the danger to the President and other public officials and foreign dignitaries.

Do you have any recommendations as to how this danger can be reduced?

Secretary SIMON. No; I don't, Senator. There again, as I said, there is a very fine line between the responsibility of the press to report accurately to the American people and the danger of glamourizing these individuals, with which I think everyone agrees; and I think the figures that I gave at the outset that in the first 20 days of September, the number of threats to the President have tripled, exemplifies this.

Senator BELLMON. Do you feel that prompt and stern punishment of those who attempt an assassination might serve as a deterrent?

Secretary SIMON. I most certainly do.

Senator BELLMON. Do you have any suggestions as to what Congress might do to help cause the punishment to be quicker?

Secretary SIMON. The President's crime message included mandatory sentencing on justifiable crimes such as this, and I would think that that could be enacted expeditiously because I do consider that as a deterrent. Yes; indeed I do, Senator.

Senator BELLMON. At the present time, some of our Federal law enforcement agencies are under investigation and under criticism for charges of overzealousness in the conduct of their affairs.

At the same time, the Secret Service is being criticized because it didn't detain some people that might now have been detained if all the facts had been known. Do you feel that the Secret Service erred here and if so, why was the error made?

Secretary SIMON. I think it is too early to tell whether there were any particular errors until all of the facts are in on the most recent attempt on the President's life. So I would postpone that judgment until I have had time to study it.

I would hasten to add something here that we are guilty of short memories quite often; and prior to these two recent attempts on

the President's life, I think there was some criticism being levied that the Secret Service was being overly protective, being rough, and running roughshod over people in their protective function.

This is again one of those fine lines that the Secret Service has to balance, consistent with a free and open society, that they are going to allow the President to mingle with the American people and at the same time, to the best of their ability, protect his life.

Senator BELLMON. In your capacity as Secretary of the Treasury and head of the Secret Service, are you promulgating regulations that will cause more people to be detained in the future or is that a question you have to deal with?

Secretary SIMON. Not at the present time; but, again, I would reserve that judgment until the evaluation is completed, Senator Bellmon.

Senator MONTOYA. Senator Eagleton?

Senator EAGLETON. I have no questions of Mr. Simon. I will reserve mine for the other gentlemen so that Mr. Simon can go to his other meeting.

Senator MONTOYA. Thank you, very much, Mr. Secretary. Assistant Secretary Macdonald, you may proceed, sir.

INTRODUCTION OF ASSISTANT ATTORNEY GENERAL THORNBURGH

Mr. MACDONALD. I would like to introduce to you and the subcommittee Assistant Attorney General Thornburgh from the Criminal Division of the Justice Department, and he may be able to help the committee.

I would also like to point out that Mr. Stuart Knight, Director of the Secret Service, has an opening statement whenever it is the pleasure of the committee to hear it.

Senator MONTOYA. Do you have a statement, Mr. Macdonald?

Mr. MACDONALD. I have none.

Senator MONTOYA. Then we will proceed with Mr. Knight so that he can present his statement.

Mr. KNIGHT. Thank you, Mr. Chairman.

STATEMENT BY H. STUART KNIGHT, DIRECTOR, U.S. SECRET SERVICE

I am here today to discuss and address myself to questions concerning activities of the Secret Service. Because of the short time frame, this statement was not cleared by the Office of Management and Budget

COUNTERFEITING AND FORGERY

As you know, the Secret Service has vested responsibility throughout the United States. One of our responsibilities is to suppress the manufacture and distribution of counterfeit currency and the forgery of Government checks and bonds.

Despite the heavy protective workload, we have been most successful. Last fiscal year, we arrested over 8,500 persons for these crimes. We had a conviction rate of nearly 90 percent and we seized before it was passed on the public over \$45 million or 93 percent of the counterfeiters' total output.

Gentlemen, I wish to be on record at this point in expressing my confidence and pride in the employees of the U.S. Secret Service.

The men and women of the Service are an exceptionally dedicated group whose primary concern is the fulfillment of our statutory responsibilities.

They comprise a 24-hour-a-day team, 365 days a year, and their actions have always reflected proudly on our organization and I have pridefully taken credit for their superior accomplishments. In the same manner, I take full responsibility for their actions and I have total confidence in the decisions made by my personnel.

PROTECTIVE FUNCTION

As you know, the protective function assigned to the Secret Service is an extremely difficult undertaking. On a full-time basis, we provide security for 18 persons.

In addition to these permanent protectees, we protect a number of visiting foreign dignitaries. In the current fiscal year we estimate that we will protect almost 200 such dignitaries. Their visits average about a week in duration.

During the 12-month period ending August 31, 1975, the Secret Service provided protection in connection with 812 visits of our protectees throughout this country.

PROTECTION OF MAJOR PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES

Additionally, the Secret Service has been directed to commence its protective operations for the security of major Presidential and Vice Presidential candidates tomorrow.

To indicate the extent of this candidate nominee activity, in 1972 candidate protection started on March 20 and continued through the election in November.

This required 13 protective details. The candidates and nominees afforded protection made 2,447 trips involving over 6,000 separate stops during the course of the campaign.

During the coming campaign our protective details will operate for almost 6 months longer than they did in 1972.

PREDICTING HUMAN BEHAVIOR

We face many problems in attempting to accomplish our mission. One of the most perplexing is the need to predict the human behavior of individuals.

Many times we have been advised by behavioral scientists that it is most difficult to predict group behavior and that it is almost impossible to predict individual behavior.

We have also been advised that it is impossible to predict those triggering factors which can arise momentarily and that cause an individual to commit a crime or a violent act.

We know that mental aberration or derangement may be controlled for indefinite periods of time. It may then reach a breaking point, causing the person to perform an act that he or she would not consider under ordinary circumstances.

Based on an interview, our special agents are often required to make judgments which trained scientists hesitate to make after long study.

We have no way of knowing how many assassinations or attempted assassinations have been prevented by these interviews. Admittedly, the decisionmaking connected with these interviews is judgmental.

It is interesting to note that a consulting firm concluded in 1971 that "While it appears that our solution to your problems suggest we are grasping at straws, we have nothing but straws to grasp at."

Nevertheless, we continue to search for a more scientific basis upon which to make our judgments and predictions of those who present a potential danger. Although we are the ones charged by law with protection, we cannot carry out this responsibility alone. As I have mentioned, it is necessary to seek the advice and recommendation of others.

We look to scientists, psychologists, psychiatrists, scholars, and other specialists who can suggest new standards to more accurately predict behavioral patterns.

In addition, we turn to other law enforcement agencies, Federal, State, and local for their support and cooperation. Without this cooperation we cannot hope to successfully implement our protective measure. We rely heavily on others with regard to our protective intelligence functions. We depend upon them to provide information on those individuals whom they consider to be of protective interest to us.

In fact, every day we analyze large quantities of information, given us by other law enforcement agencies, as well as that gathered by our own personnel. The point I am making is that we realize the value of this cooperation and exchange of information.

It is crucial to the very essence of our protective mission.

Gentlemen, the Secret Service has been most fortunate in receiving superior cooperation from law enforcement agencies at every level.

In fulfilling our protective missions, one must keep in mind the rights of an individual in a free society. Protection of the President or any individual in a society that assures the free and uncontrolled movement of its people is a challenging task.

Yet, we must do this while making every effort to work within the legal and constitutional guarantees provided to all citizens.

Clearly, we are not interested in statements or actions of an individual involving just plain political dissent or personal animosity, nor are we interested in opinions to which an individual is entitled, nor are we interested in infringing on a person's civil rights.

The freedom of society in which we live is precious to us all, and I can assure you as Director of the Secret Service that the men and women of my organization strive to preserve that freedom when performing their duties. We must work within the system to achieve the most secure environment possible.

Mr. Chairman, I would be happy to answer any questions.

STUDIES OF HUMAN BEHAVIOR

Senator MONTROYA. Turning to page 5 of your statement, and I quote:

We look to scientists, psychologists, psychiatrists and scholars and other specialists who can suggest new standards to more accurately predict behavioral patterns.

What kind of studies have you contracted for with respect to these situations?

Mr. KNIGHT. If I may, Mr. Chairman, I would like to introduce my colleague, Mr. James Burke. Mr. Burke is the Assistant Director of the Secret Service for Protective Intelligence.

Since 1965 the Secret Service has contracted for these studies with firms in 16 different instances and one of those studies covered as many as 50 different areas in which we are interested.

If you would like, I can have Mr. Burke read the titles of some of these 50 studies.

In addition, about a year ago we engaged in another study. This is the study that is now continuing and will continue to operate for at least another year with particular focus on the recent events in the State of California.

I think you might find it interesting to hear some of the titles that one of these studies addressed itself to.

Mr. BURKE. Mr. Chairman, "The Presidential Assassination Syndrome" is one study, "Psychotic Visitors to the White House" is another, "Socio-Psychiatric Aspects of Threats Against the President" is another. "A Political Threat File, Problems and Criteria" is another. "Information Processing, How to Process Criteria Files," "Security Threat Analysis and Research Into Presidential Travel," "Public Appearance Observations, How to Observe Crowds and What to Look For."

Again, several years later we conducted another criteria information processing study; "The Psychiatry of Presidential Assassination," and an interesting one, Mr. Chairman, is "The Detection of Concealed Handguns," which was conducted in 1968.

We had others reviewed by the Office of Science and Technology, and we had others reviewed by the National Institute of Mental Health.

Senator MONTROYA. How much manpower do you have assigned from in-house resources to these studies?

Mr. BURKE. It varies, Mr. Chairman. We use whatever in-house expertise is demanded by the particular study. We have engineers; we have senior special agents; we have research analysts that are trained in that area. We provide whatever in-house capability they need.

It sometimes involves merely working with two or three individuals. Sometimes it means canvassing the country and talking to people in a number of field offices, actual agents in areas of action.

Senator MONTROYA. Are all of these studies being conducted under contract or are some of these studies being conducted by your own staff?

Mr. BURKE. The 16 studies that the Director was referring to were conducted outside of the Secret Service. We naturally have a constant study program within our Inspection Division, but these 16 were all external studies. Mostly we are contracting with private firms and individuals. Some were Government agency-sponsored studies.

Senator MONTROYA. Do you have any other agencies cooperating with you whenever you conduct these studies with your own personnel, and do you avail yourself of the aid of other agencies for this purpose?

OFFICE OF SCIENCE AND TECHNOLOGY AND NATIONAL INSTITUTE OF
MENTAL HEALTH

Mr. BURKE. Yes, sir. The two I mentioned earlier. The Office of Science and Technology has been most helpful whenever we have required their evaluation of studies, and the National Institute of Mental Health stands by constantly to help us in evaluating our study programs also.

Senator MONTOYA. What kind of help would they give you? Give me an illustration.

Mr. BURKE. Mostly the expertise in interpreting some of the factors developed during the studies. They give us their expertise in either agreeing with us or disagreeing with us as to certain recommendations that might be made during the study.

Senator MONTOYA. What kind of recommendations have you made with respect to surveillance or protection of the President as a result of these studies?

Mr. BURKE. Mr. Chairman, I hesitate, and I would be guided by your wisdom—I hesitate to discuss specific factors that resulted from these studies because they are very germane to what we are talking about here. What we do in a crowd would be very beneficial to someone trying to subvert us. I would turn to you on that, sir.

Senator MONTOYA. But you have made some positive recommendations to the Secret Service agents to pursue or to follow certain techniques which came about as a result of these studies?

Mr. BURKE. Yes, sir. We would be pleased to discuss these with you in executive session.

Senator MONTOYA. How much have you expended during the last two fiscal years by way of contract on these studies?

INTRODUCTION OF FRANCIS A. LONG, ASSISTANT DIRECTOR,
ADMINISTRATION

Mr. KNIGHT. Mr. Chairman, at this point I would introduce another member of my staff, Mr. Francis A. Long, Assistant Director for Administration, who handles the budgetary matters. Mr. Long, do you have those figures?

Mr. LONG. Mr. Chairman, I do not have those figures with me today, but we can supply them for the record.

Senator MONTOYA. Give me an estimate more or less, and then you can correct it.

Mr. LONG. Certainly over \$200,000.

Senator MONTOYA. The reason I ask this question is because this never came up in our hearing. Under what category were these expenditures made?

Mr. LONG. They would be made under the category of other contractual services, Object Class 25 in the Budget Schedule.

CRITERIA FOR A POTENTIAL ASSASSIN

Senator MONTOYA. Was there not one study which attempted to profile the characteristics that a potential assassin would have?

Mr. BURKE. One of the studies related to criteria; they didn't use the word "profile," Mr. Chairman, but the whole direction of just about all of these studies was to try to come up with a better way of evaluating a subject so that you could predict his dangerousness.

So in that regard, most of the studies were directed toward what might be termed a profile, although we have yet to find a valid profile.

Senator MONTROYA. Did you develop a list as the result of this study of Americans that might fit those characteristics?

Mr. BURKE. As a result not only of this study, Mr. Chairman, but the list that we maintain in our Intelligence Division at headquarters has been there for many years.

It has grown and it has been reduced. These studies certainly helped us zero in on certain areas, but the list has been in existence for some time.

Senator MONTROYA. Are you talking about the computerized list?

Mr. BURKE. Yes.

Senator MONTROYA. It is my understanding that the initial envelope would include 20 million Americans.

Mr. BURKE. I think what might be referred to there, Mr. Chairman, comes from checking with the National Institute of Mental Health in trying to determine how many people they would characterize as having some type of mental problem.

As you know, we can't include in our list everybody merely because he is mentally ill or someone believes he is mentally ill. The National Institute of Mental Health has said 1 out of every 10 of our population is mentally ill. That would come out roughly in the 20 million figure.

As you know, we can't include all 20 million in our files. We also have figures furnished by the FBI that about 430,000 persons convicted of crimes of violence are released every year from prisons. We can't include all of those people in our files.

So the mere fact that a person is mentally ill or has a propensity for violence cannot be the determining factor.

We have to narrow that down to a workable number and we look for mentally ill persons and we look for persons with a propensity for violence, but we also have to narrow that even more. Do these persons exhibit a direction of interest toward someone that we are responsible for protecting? That is what we look for in making up our list.

Senator MONTROYA. In view of the estimate given you by NIMH, did you try to narrow this study to more specifics and to pinpoint possible concentration on possible assassins or potential assassins?

Mr. BURKE. Again, Mr. Chairman, the NIMH consultation that we may have had was not directed toward this 20 million. That is just a figure that they would give you or anyone who asks them how many they would characterize as having a mental problem.

As far as NIMH or anyone else trying to tell us who are these 20 million individuals in the United States, we would never be able to get that information. That is guarded information. That is just their best professional estimate of what we are facing.

COMPUTERIZED LIST

Senator MONTROYA. Do you have any of these individuals listed in the computerized list that we have been speaking about?

Mr. BURKE. We have 39,000 in round figures. I think it is 38,800-and-some names in our list, many of whom are apparently mentally ill.

Senator MONTROYA. I understand that the size of this list fluctuates. It goes up and then it goes down.

Mr. BURKE. Yes, sir.

Senator MONTROYA. Can you give me the fluctuation of this list over the last few years?

Mr. BURKE. Yes; for example, the list was at—again I am going from memory right now, Mr. Chairman, but about 64,000 about 2 years ago. The figure was 47,000 I believe at one time recently when my predecessor had testified. It is down to 38,000 now.

There are many reasons for this change. Let's go back to immediately following the Warren Commission review, when we were informed that we should increase our liaison with all Federal agencies, and local enforcement, and we should get more input into our data bank, which was not a data bank then; that is, it was not computerized.

We did this and, as a result, naturally as everybody wanted to cooperate with us, we were engulfed with many names. We ended up with, say, 100,000 names in this file which took time to cull out. We had to give evaluations over a period of time and we recently, within the last 2 years, came up with a computerized program where, if a subject is inactive for a period of 5 years and does not exhibit any real danger to the President, or anyone we protect, he is automatically culled out of the list.

That is responsible for the change in the last 2 years from 64,000 to 39,000.

Senator MONTROYA. Am I correct in saying that in 1963, about the time that President Kennedy was assassinated, that you had 500,000 names on this list?

Mr. BURKE. No; If I said that, I was incorrect.

Senator MONTROYA. No; I didn't say you said it. But am I correct in making that statement?

Mr. BURKE. I would have to seek better advice on that figure. I was in the Secret Service then. I know we had a card file. It was not computerized.

Senator MONTROYA. I am not speaking of a computerized list. I am speaking of a card system which you had at that time and I understand it had 500,000 names.

Mr. BURKE. My recollection is 60,000, Mr. Chairman. I would have to seek better advice as to what it actually was in 1963. I would doubt very much that it was 500,000. I think what you might be referring to, is that when we had a card file, we had an index consisting of hundreds of thousands of cards but many of those cards were cross index cards, address cards, certain identifying words and phrases, and so forth.

I believe the actual subjects in there would have come closer to about 60,000.

Senator MONTROYA. You mentioned, Mr. Knight, during the course of the hearings on the budget that the Secret Service had consulted with outside firms to assist in making a positive determination as to whether or not an individual is a potential assassin. You said it had been a frustrating proposition. What did you mean by that?

Mr. KNIGHT. What I mean, Mr. Chairman, is that we have no bottom line answer to that. There is no checklist of factors or criteria or profile or whatever phrase you wish to select that we can use with any degree of certainty of accuracy.

For that reason, it is very frustrating because if such a listing was available and was known to be accurate, we would be very, very happy to receive it.

STUDY CONTRACTS ON PREVENTIVE INTELLIGENCE CRITERIA

Senator MONTOYA. Would you list at this point in the record the number of contracts which you have let out for these studies, the cost of each contract, generally the main purpose of the contract and the findings from any study pursuant to those contracts?

Mr. KNIGHT. We will be happy to do so, Mr. Chairman. I assume you mean since 1965.

Senator MONTOYA. Yes.

[The information follows:]

Studies Relating to Preventive Intelligence Criteria

A. Studies at no cost to U. S. Secret Service

1. Socio-Psychiatric Aspects or Threats Against the President - June 1964.
2. The Presidential Assassination Syndrome - March 1964.
3. The Presidential Assassination Syndrome II - September 1966.
4. Psychotic Visitors to the White House - May 1965.
5. A "Political Threat File - Problems and Criteria - May 1964.
6. Information Processing - May 1964.
7. Security Threat Analysis and Research, Presidential Travel- January 1964.
8. Public Appearance Observations - July 1964.
9. Criteria and Information Processing - October 1964.
10. The Psychiatry of Presidential Assassination - April 1965.
11. The Detection of Concealed Handguns - September 1968.
12. Advisory Group to Implement the Recommendations of the Warren Commission Report - 1964 to 1966.
13. Criteria Study - September 1969.
14. American Presidential Assassination - March 1970.

B. Studies Funded by U.S. Secret Service

<u>Study</u>	<u>Cost</u>
1. Developing Identification and Characterization of Potential Assassins - 1966 to 1968.	\$ 33,992
2. The Diagnosis of the Potential Dangerousness of Suspects brought to the Attention of the Secret Service- January 1975.	\$ 246,620

PROTECTION OF PRESIDENTIAL CANDIDATES

Senator MONTROYA. During the 1976 hearings you mentioned that the budget included \$5 million for the protection of Presidential candidates?

Mr. KNIGHT. Yes, sir.

Senator MONTROYA. The Advisory Committee on the Protection of Presidential Candidates has directed that protection will commence October 1, 1975, rather than January 1976.

Have you determined the additional cost of moving forward the date for initiating this protection and are funds included in the proposed supplemental request?

Mr. KNIGHT. First, if I may make one explanatory statement. In our 1976 appropriation, our budgeting was predicated on a March 1 starting date. It was then the considered opinion of Members of the Congress that perhaps it should start January 1; but in light of recent events, it is now starting October 1, as you have related.

Senator MONTROYA. You did receive all the funding which you requested for that kind of a program, did you not?

Mr. KNIGHT. Starting March 1; yes, sir. We received everything we asked for. But now that protection is going to start in October, we may have to take another look at our funding for that purpose.

Senator MONTROYA. Have you made any moves in that direction through official channels?

Mr. KNIGHT. Not as yet, because our budget people are still examining the situation. I think perhaps it is appropriate for me to ask the Assistant Secretary because a starting date of October 1 is one thing and when we might actually start is something else.

Mr. MACDONALD. We are prepared to commence protection of six candidates who the Federal Election Commission advised us appear to qualify for matching payments under the Federal Election Campaign Act.

This is one of the criteria set up by the advisory committee at our suggestion. Of the six candidates, one has declined protection and the other five are considering whether they will receive protection, but I think it is highly likely that we will commence protection of several of them on October 1.

So I believe that we are going to need additional funding for the Secret Service.

ADDITIONAL PERSONNEL

Senator MONTROYA. I understand that you submitted to the Office of Management and Budget a budget based upon protection starting on January 1.

Mr. MACDONALD. No; I believe we were still in the process of preparing that supplemental and I think that is still down at the Secret Service. We have another supplemental which we expect to come up to Congress very quickly, but that supplemental relates to other protective functions, principally foreign heads of state.

Senator MONTROYA. Do you mean to tell me that in light of what has happened in California that there has been no submission of any request to the Office of Management and Budget for additional personnel?

Mr. MACDONALD. Sir, our actual functioning isn't impeded at all. We have funds to carry on for now. We are confident that Congress will look sympathetically upon the recommendation of the advisory committee.

Senator MONTROYA. So are you telling me in effect that you now have adequate personnel and also personnel in training for this function?

Mr. MACDONALD. Let me defer that to Director Knight.

Mr. KNIGHT. The answer is no; sir, not at this time. We will be coming back for an additional supplemental inasmuch as we are going to be carrying out this job 6 months longer than we were budgeted for.

Mr. MACDONALD. I think you have to realize when you talk about personnel there is no way we are going to obtain experienced agents between now and November through any appropriations process for the purpose of protecting candidates.

What we are talking about are additional out-of-pocket expenses and those related expenses which we do incur because of the protection burden increasing.

Senator MONTROYA. So the funds that you will request will not be for additional personnel?

Mr. MACDONALD. No; I think it is highly likely that we will request additional personnel, but I just didn't want to lead this committee to believe that that somehow would impact upon our protection function over the next year or so.

Senator MONTROYA. That is what I am trying to elicit from you, Mr. Secretary, and from you, Mr. Knight. If you are going to ask for additional money, are you going to provide additional personnel with this money if it is given to you by the Congress?

Mr. MACDONALD. Yes, sir.

Mr. KNIGHT. I think, Mr. Chairman, I can cast some light on this problem. We do have a pending supplemental request.

Senator MONTROYA. I understand that the White House has already approved it this morning.

Mr. KNIGHT. That supplemental request is predicated primarily on the increase of visiting foreign dignitaries which has grown from 57 to over 130 visits for which we have never asked for additional personnel.

It also does take into account some of our additional responsibilities. That is the budget, the supplemental budget of the current instant.

Now we may—I think we probably shall—be coming back for an additional request for funds in light of the fact that the protection for candidates and nominees has been moved up by 6 months. This would not necessarily include additional personnel but rather expenses involved with travel, per diem, and that sort of thing.

Mr. MACDONALD. Besides that, Mr. Chairman, if I may add, we had long before these events arranged for the training of 500 agents from other bureaus in the Treasury Department, who will be trained in the protective function by the Secret Service, after which they will take on protective responsibilities such as Secret Service agents now provide.

We did that for the road protective responsibility that we anticipate will occur during the campaign. Those people are coming off the line right now for this purpose.

PERSONNEL STRENGTH

Senator MONTROYA. Let's insert in the record at this point what your personnel load has been during the last four years on a year-by-year basis and how many at this point are in training and when they will be ready to assume duties as a protective force.

[The information follows:]

The following information represents the end of year employment of Special Agents in the U.S. Secret Service:

END OF YEAR SPECIAL AGENTS EMPLOYMENT

Fiscal year:

1972.....	1,242
1973.....	1,220
1974.....	1,213
1975.....	1,377

As shown above, the U.S. Secret Service currently has 1,377 Special Agents on the rolls. Of this total number, 84 Special Agents have not completed the basic Criminal Investigation School put on by the Treasury Federal Law Enforcement Training Center. They are scheduled to complete this basic training in December 1975. In addition, they are scheduled to complete the U.S. Secret Service Special Agent Training Course by April of 1976. Another 72 Special Agents have recently completed the basic Treasury training and are scheduled to finish the U.S. Secret Service Special Agent Training Course in December 1975.

PROTECTIVE ASSIGNMENTS FOR NEW PERSONNEL

Senator MONTROYA. When will you get these people who are now in training active in protective functions?

Mr. KNIGHT. Are you referring to the training that Assistant Secretary Macdonald referred to?

Senator MONTROYA. Present training that is going on of the additional personnel which we allowed during this fiscal year.

Mr. LONG. The 173, Mr. Chairman?

Senator MONTROYA. Yes.

Mr. KNIGHT. We estimate it would take approximately from the point of entry until we have confidence in an agent, about a year.

Senator MONTROYA. So you are going to provide for protection of the President and the other candidates out of your present force?

Mr. KNIGHT. Yes, sir, supplemented by the 500 additional Treasury agents, which are now undergoing training.

Mr. LONG. The additional agent positions which this committee authorized for this fiscal year will have been sufficiently trained to be able to staff the field offices and allow the more experienced agents to be assigned to protective duties. So they will have an impact on our current protective requirements and they will be useful.

Senator MONTROYA. Is it your feeling that this will be adequate for the foreseeable future?

Mr. LONG. No; I could not make that statement, Mr. Chairman, because in light of recent events, as the Director mentioned, we are currently reevaluating all of our requirements and needs.

Senator MONTROYA. Then do I understand that you are not prepared at this time to tell us whether or not you need additional personnel?

Mr. KNIGHT. That is correct, Mr. Chairman.

Senator MONTROYA. When will you be prepared to tell us?

Mr. KNIGHT. I would think within a matter of a month at the most.

Senator MONTROYA. And the additional money which you are requesting is strictly for expenses in the field occasioned by additional visits of foreign dignitaries?

Mr. KNIGHT. Mostly for the foreign dignitary protection; yes, sir.

Senator MONTROYA. During the fiscal year 1976 hearings you included \$5 million for the protection of Presidential candidates. Was that based on the directive issued by the advisory committee that protection would commence January 1976?

Mr. KNIGHT. No, sir. That projection of \$5 million was predicated on a March 1 starting date.

ADDITIONAL COSTS OF NOMINEE PROTECTION

Senator MONTROYA. What would be the additional cost of moving it forward to October 1? Do you have any figures on that?

Mr. KNIGHT. Not yet. We will be happy to supply that for the record.

[The information follows:]

ADDITIONAL CANDIDATE/NOMINEE COSTS

An additional estimated amount of \$5,700,000 will be required for protecting presidential candidates commencing October 1, 1975.

PRESIDENTIAL TRIPS

Senator MONTROYA. I understand that the Warren Commission recommended that Presidential security would be assisted by delaying word of forthcoming Presidential trips until the latest possible time.

Mr. KNIGHT. That is correct, Mr. Chairman.

Senator MONTROYA. Do you believe this method of operation has merit and have you recommended it to the White House?

Mr. KNIGHT. There has been discussion with members of the White House staff. I think we are in agreement that that does have merit and they are certainly considering it.

Senator MONTROYA. Had Mrs. Moore ever come to the attention of the Secret Service as a potential informant?

Mr. KNIGHT. As a potential informer? No, sir.

Senator MONTROYA. Did the Secret Service know about Mrs. Moore before this particular date in question?

Mr. BURKE. Mr. Chairman, the Secret Service first learned about Mrs. Moore the day before the President was due to visit San Francisco.

Senator MONTROYA. Would you tell us the amount which you expended for informers from fiscal year 1970 through 1975 and the sum which you estimate will be expended during fiscal year 1976?

Mr. KNIGHT. I can give you the dollar figures for last fiscal year. We can supply the other fiscal years for the record. The last fiscal year was slightly less than \$200,000.

I must hasten to add, as I mentioned in my opening statement, we are also responsible for counterfeiting and forgery violations and a great portion of that \$200,000 was expended in that area, not totally for protective intelligence.

Senator MONTROYA. How much would you say was expended for protective intelligence?

PAID INFORMANT COSTS

Mr. KNIGHT. I would say about \$25,000 to \$30,000. I should also say, so that we have a clear understanding, that we do not have any so-called paid informers on the payroll. These informants are on a case-by-case basis.

[The information follows:]

AMOUNTS EXPENDED FOR INFORMERS ¹

Fiscal year:

	<i>Estimate</i>
1970	\$62,000
1971	133,000
1972	171,000
1973	101,000
1974	148,000
1975	176,000
1976	193,000

¹ The amounts shown above includes moneys expended for informers for our protective and investigative responsibilities.

COOPERATION WITH OTHER LAW ENFORCEMENT AGENCIES

Senator MONTROYA. When you use an informant, do you ascertain whether he or she is also informing other enforcement agencies?

Mr. KNIGHT. Yes, sir.

Senator MONTROYA. Do they in turn inform you, too?

Mr. KNIGHT. Yes, sir.

Senator MONTROYA. Did the Alcohol Tax Unit inform the Secret Service about Mrs. Moore?

Mr. KNIGHT. They have subsequently, not at that time; no.

Senator MONTROYA. Why didn't they?

Mr. KNIGHT. I can't answer that question.

Senator MONTROYA. Have you made inquiry as to why?

Mr. KNIGHT. I think I can help clarify that. Although they did not notify us directly, they notified other police agencies who, in turn, notified us. So in a sense, they did notify us.

Senator MONTROYA. When did this information reach you from the other enforcement agencies?

Mr. BURKE. Mr. Chairman, as concerns the Alcohol, Tobacco and Firearms Division, I am not so sure that they had any reason to inform us about Mrs. Moore. She was dealing with them in an area that was totally divorced in their concept and our concept from what we are interested in. She made no statements to them which would have triggered any indication that this woman was of interest to the Secret Service.

They did, of course, talk to us the day after the incident, but I don't see any reason in my judgment why they should have told us about her before that.

Senator MONTROYA. She was dealing in guns with the Bureau of Alcohol, Tobacco and Firearms, was she not?

Mr. BURKE. I believe she was; yes, sir.

Senator MONTROYA. Some of the personnel in the Bureau of Alcohol, Tobacco and Firearms were aware of what she was doing and you say that there is an interchange of information between enforcement

agencies of the Government and this information was transmitted to the Secret Service at some time before this incident. Who received this information and how was it disposed of?

Mr. KNIGHT. Allow me to answer your question. First of all, we have got to look at the time frames involved. We interviewed Mrs. Moore and I want to be careful now not to get into too many details to prejudice her rights—late on the evening of the 21st. At the same time we made the interview we instituted a routine background investigation.

I am totally confident that in that investigation it would have developed very, very shortly that she was also working with the Bureau of Alcohol, Tobacco and Firearms.

Senator MONTROYA. Did I understand you a few minutes ago to say that the ATF had hired her as an informant and that information was communicated to you before this day? I understood your testimony to be that.

Mr. KNIGHT. Yes, sir. I am going to have to ask Mr. Burke to answer, if he remembers the chronology of who said what to whom and when.

Mr. BURKE. Again, Mr. Chairman, I will have to check the facts for you but my understanding of the case is that we were notified about Mrs. Moore by another enforcement department on the day before the incident in San Francisco, that personnel of the Bureau of Alcohol, Tobacco and Firearms were working with Mrs. Moore. I am not aware of them talking to our agents on the 21st, the day before the incident.

I am aware of them speaking to us the day after. I was trying to get across that I don't see any reason why they should have brought this to our attention, the mere fact that the woman is dealing in guns does not meet any set of standards that we would have imposed upon them to tell us about her.

Senator MONTROYA. In view of what happened, would you now require or ask that information about informers for the Bureau of Alcohol, Tobacco and Firearms be transmitted to you?

Mr. KNIGHT. Again, I think we are talking about unknowns. I don't know the caseload or the workload of Alcohol, Tobacco and Firearms, but I suggest that if we ask all agencies that are dealing with people who in turn are dealing with guns to give us this information, it might be more information than we are able to process.

On the other hand, I think, Mr. Chairman, you have raised a good point. I think it is certainly something we should explore and look into and perhaps there is merit. It will be helpful to us.

Senator MONTROYA. Are you aware of the possibility that the Bureau of Alcohol, Tobacco and Firearms might have informants with respect to explosives over which they have enforcement power?

Mr. KNIGHT. I am aware of that fact, yes, sir. I would say this: I have total confidence in the ATF and that they would give us information that they feel we need to carry out our job. In fact, they have done so.

INTERVIEW WITH DEFENDANT

Senator MONTROYA. Let us go to the Sunday when Mrs. Moore was confronted. Can you tell us why she was released?

Mr. BURKE. Mr. Chairman, we are coming now to that area that Mr. Knight discussed in his statement about the ability and the demand that our people predict human behavior. We have in all of the studies that we have conducted tried to come up with the best set of questions, the best procedures to try to interview someone and determine what he is going to do in the next 24 hours or the next 24 days. We think we do a satisfactory job of this.

The psychologists and psychiatrists that have worked with us, and again, even in the most recent current study, have told us that our agents do this satisfactorily. The point we are discussing here is what transpired between Mrs. Moore and the two agents who interviewed her on the night of the 21st.

This is a very deep evaluation. The agent that was leading the team had been involved in numerous advances, and he had been involved in numerous interviews of people of this character and he made his objective judgment based on his experience and training, and we have evaluated his judgment and we agree wholeheartedly with the judgment he made at that time.

I am not so sure that if he had interviewed her the next morning if he wouldn't have made just the same decision. It is the whole question of how do you predict human behavior. We think we have an excellent track record in it.

We stand with it at this point. Mr. Chairman, if I can, I can enlarge upon that.

Senator MONTROYA. Fine. Go ahead.

FACTORS CONSIDERED IN INTERVIEW

Mr. BURKE. Some of the factors that the agent had to consider in this interview, were first of all, here was a woman who was brought to our attention by a police agency who advised that she was working with them as an informant, and she had never been a problem to them prior. That is the impression that we were given.

We also found out that she had worked for a time for a second enforcement agency and, of course, later we found out about a third.

Senator MONTROYA. Who were they, which agencies?

Mr. BURKE. The FBI and the San Francisco Police Department. There was at least information at this point that she had worked with these two very reputable enforcement agencies.

I am not trying to say that the other enforcement agencies should have told us anything. I say these are influencing factors in an agent interviewing someone. It is just not someone off the street. This is someone who has dealt with people in enforcement.

Second, when she was asked to explain certain statements that she had made that caused the police agency to bring her to our attention, she said they had been taken out of context and she said she had no interest in the President.

Her statement of "wanting to test the system", evidently was to see whether she, representing one side of the spectrum, would be treated the same as somebody representing the other, the phrase was such as, "I want to see if the far left is treated the same as the far right."

The papers quoted only that she wanted to test the system. That wasn't the whole statement. The whole statement was "to test the system to see if the far left is treated the same as the far right," which has a slightly different connotation, I believe.

Senator MONTROYA. That information was transmitted to Inspector O'Shea?

Mr. BURKE. Yes; to my knowledge, it was. I wasn't on the scene.

Senator MONTROYA. Is it your testimony that it was transmitted to you in that context?

Mr. BURKE. That is the context I am getting. I believe, Mr. Chairman, you may be interested in speaking to a better witness than I tomorrow, the agent that actually received the phone call. I would submit that he would give you a better rendition of that conversation than I.

Senator MONTROYA. Wouldn't the words, "I am going to test the system," and the fact that she was caught with possession of a gun wouldn't those two facts trigger something by way of curiosity or caution?

Mr. BURKE. Yes, sir.

Senator MONTROYA. On the part of the Secret Service?

Mr. BURKE. It triggered an interview. It triggered the fact that at 10:30 at night after working all day on a protective visit at Palo Alto, these two agents went out to her home and got her down to the Secret Service field office and spent until midnight with her. That is what it triggered, Mr. Chairman.

Senator MONTROYA. I understand that. She talked them out of any curiosity, caution, or concern apparently.

Mr. BURKE. The results of that interview resulted in our agents having to make a decision. Very few investigators have to make this decision. They report the facts. Our agents are forced that one step beyond. They have to make a determination based upon predicting human behavior.

They made that determination, based on the best knowledge they had at the time, Mr. Chairman.

SURVEILLANCE OF DEFENDANT

Senator MONTROYA. Why on the previous day did your agents post a lookout for Mrs. Moore at Stanford University while the President was visiting? Why was not this same precaution taken at the site of the Monday assassination attempt?

Mr. BURKE. The lookout was placed before we had interviewed her. The lookout was placed when we didn't know who she was. We knew her name, but we had not evaluated her through a personal interview.

So we felt a necessity for the lookout. We always do that. Then we interviewed her that night. Again, I don't want to be repetitive, we made that judgment and that is why we didn't have the lookout the second day.

Senator MONTROYA. It seems very strange that you posted a lookout for her at Stanford University on the day before when you didn't have any information on her and then subsequently when you found out that she had possession of a gun, you just did not concern yourself with any additional caution for Sunday.

Mr. KNIGHT. If I may answer that, Mr. Chairman, the lookout was placed prior to our having any personal knowledge of the subject. We had not interviewed her. We did it on the basis of information that we had received.

Senator MONTROYA. What information had you received?

Mr. KNIGHT. That this is a person possibly of interest to us.

Senator MONTROYA. When did you receive that information?

Mr. KNIGHT. That would have been the day of the 19th, the day of the visit of the President to Palo Alto.

Senator MONTROYA. You may proceed.

Mr. KNIGHT. As to the gun, the gun had been removed from her possession. I might add, talking about the gun and what her attempts were, I am in a bit of a quandry.

Maybe I should ask the Assistant Attorney General whether I should get into this area or not because I can explain to you her rationale for her having carried the gun, but I think that may prejudice the case.

CAUTION AGAINST PREJUDICING THE DEFENDANT'S RIGHTS

Mr. THORNBURGH. Mr. Chairman, I am not here as a counsel to Mr. Knight or the Secret Service. I am in charge of the Criminal Division and my presence here is certainly not to obstruct the inquiry of the subcommittee; but I am concerned.

Senator MONTROYA. We understand that. The reason I am asking these questions, Mr. Attorney General, is because the chronology of events had appeared in the newspapers already, not only in the San Francisco area, but all over the country, and also on television and there are quite a few inconsistencies which I am trying to straighten out.

Mr. THORNBURGH. The caution that I would like to drop, Mr. Chairman, is as to the substance of statements taken from the defendant in detail. I am afraid the words "straighten out inconsistencies" may have been reported in the news media.

It would be necessary to plumb in great detail the actual statements taken from suspected perpetrators of these types of criminal offenses. And in order to preserve the integrity of the criminal justice process, I would hope that the committee would refrain from plumbing in that degree of detail in other than executive session the actual substance of the statements taken from the alleged defendant. That was the only point.

Senator MONTROYA. I am just concerned with the statement that was relayed, supposedly by Inspector O'Shea, to the Secret Service and whether or not that particular statement weighed upon them in making a final judgment to let Mrs. Moore go.

Mr. KNIGHT. First, let me correct the record. I believe I indicated an incorrect date when we were first notified. It was at 7:45 p.m., on September 20.

Senator MONTROYA. That was Saturday?

Mr. KNIGHT. Yes; based on that information, when the President went to Palo Alto and we didn't know anything more than the information we had received by telephone, this is why we put the lookout for her.

Senator MONTROYA. At 11:30 a.m., Mrs. Moore made a visit with one of the ATF men.

Mr. KNIGHT. That is my understanding, yes.

Senator MONTROYA. I won't go into the other details of that visit. That at 12:30 p.m., on Sunday, the Secret Service was asked by Mr. O'Shea if they wanted Mrs. Moore picked up. You said "Yes." Is that correct?

CHRONOLOGY OF EVENTS

Mr. BURKE. Mr. Chairman, to bring this into the proper context, I don't want to take too much of your time, but I can give you the exact chronology of the events which occurred out there— as covered by our inspection team recently. It is about three or four pages.

Senator MONTROYA. Would you introduce it into the record and then highlight it?

Mr. BURKE. All right. We will introduce it into the record, yes, sir.

[The chronology of events follow:]

CHRONOLOGY OF EVENTS

September 20, 1975—Saturday

Approximately 7:45 p.m.: SA Haskell received information from SA O'Connor (SS) regarding Sara Jane Moore; SA O'Connor received this information from Officer Kolling (Palo Alto PD), who received it from Dispatcher Strickler (Palo Alto PD), who got it from Agent Hulse (FBI/San Francisco); SA O'Connor provided home telephone number for Inspector Jack O'Shea (San Francisco PD); Signal Board passed on message to SA Haskell to contact SA Deckard (SFFO Night Duty Agent); Attempts by SA Haskell to contact O'Shea, Kolling, and Deckard—negative; (SA Haskell involved with above contacts until approximately 8:30 p.m.).

Approximately 8:45 p.m.: SA Haskell advised ASAIC Taylor of the above information.

9:20 p.m.: SA Haskell contacted SA Deckard (SS) and was advised SA Hulse (FBI) had passed on information regarding Sara Jane Moore—same information as previously received.

Approximately 10:00 p.m.: SA Haskell telephoned SFPD Inspector O'Shea at his residence regarding information on Sara Jane Moore; Purpose of call—O'Shea advised background information regarding Informant Moore and possible visit to Stanford University on 9/21/75 with gun; O'Shea advised Moore to meet with ATF Agent and Suspect Dealer regarding possible gun purchase on 9/21/75, at 9:30 a.m.; O'Shea advised he will contact SA Haskell reference result of this meeting and possible arrest of Moore re: possession of weapon charge; SA Yauger speaks with O'Shea and advised he wants to be notified immediately of result either way.

Approximately 10:10 p.m.: SA Yauger made routine name check with ID (Washington, D.C.) of Sara Jane Moore—negative results; gives basic information to date.

Approximately 11:20 p.m.: SA Haskell advised ASAIC Taylor of his conversation with Inspector O'Shea.

September 21, 1975—Sunday

Approximately 10:30 a.m.: SA Haskell, from Stanford University, attempted to contact Inspector O'Shea at his residence and office—negative results.

11:00 a.m.: Final ID meeting reference Stanford visit with local counterparts. Moore incident brought out. FBI SA K. Brisby acknowledged he was aware of name Moore as FBI Informant.

Approximately 1:00 p.m.: SA Haskell continued attempts to locate O'Shea via SFPD radio dispatcher and Operations Center; SA Yauger also attempting to contact O'Shea at home.

Approximately 2:10 p.m.: Inspector O'Shea returned SA Haskell's calls at Stanford University and advised he met with Sara Jane Moore this AM—not arrested—presently

at her residence; SA Haskell requested SFPD surveillance of Moore—O'Shea agreed—to be effective immediately.

Approximately 2:25 p.m.: Decision made by SA's Yauger and Haskell to initiate an APB with Stanford University Police and Palo Alto PD regarding Subject and her vehicle; All SS posts advised on B/C radio of the APB.

2:30 p.m.: Palo Alto PD records reflect APB issued for Moore.

Approximately 2:25 p.m.: Lt. Ray White, SFPD, called SA Haskell at Stanford University—identified himself as Inspector O'Shea's supervisor—was following up on SS attempts to contact O'Shea this AM; Lt. White advised of the current disposition of Sara Jane Moore—advised he would initiate her immediate arrest on gun charge.

2:30 p.m.: SFPD arrested Sara Jane Moore at her residence on gun charge (SFPD Report No. 75-072276).

Approximately 2:50 p.m.: SA Caughey, PPD, received information at Moffett NAS that Sara Jane Moore arrested by SFPD; Information passed to Stanford University CP and SA's Yauger and Haskell.

Approximately 3:40 p.m.: Sara Jane Moore's lookout cancelled on B/C as well as local law enforcement APB.

6:30 p.m.: SA Yauger advised ID (Washington, D.C.) Sara Jane Moore arrested by SFPD on gun possession charge.

10:00 p.m.: SA's Yauger and Haskell at SFPD, City Prison to determine disposition of Sara Jane Moore. No record of Moore's booking that date.

Approximately 10:10 p.m.: SA Haskell contacted Inspector O'Shea at his residence and was advised Moore had been cited—her weapon seized—and to his knowledge had been released approximately 5:30 p.m. and was presumably at home.

10:15 p.m.: SA's Yauger and Haskell at Sara Jane Moore's residence; Moore located in immediate neighborhood. Moore subsequently transported to SFFO for interview.

10:30 p.m.: Arrived at SFFO with Moore for interview. Shortly thereafter, SA Haskell called O'Shea's residence to establish rapport with Moore. O'Shea telephonically spoke with Moore. Moore terminated call with O'Shea. SA Yauger immediately returned call to O'Shea. SA Yauger requests opinion of O'Shea of Moore—no problem.

Approximately 10:45 p.m.: SA Haskell checked SFFO indices re: Sara Jane Moore—negative results.

Approximately 11:30 p.m.: Interview terminated; SA's Yauger and Haskell deem Subject not of protective interest.

Approximately 11:35 p.m.: Sara Jane Moore returned to her residence by SA's Yauger and Haskell.

Approximately 12 Midnight: SA Yauger contacted SS ID (Washington, D.C.) and reported on Sara Jane Moore's interview.

September 22, 1975—Monday

Sometime prior to 8:00 a.m.: Sara Jane Moore possibly telephoned SFFO answering service requesting SA Haskell.

8:11 a.m.: Sara Jane Moore contacted Duty Agent (Steven J. Davis—SFFO) requesting contact with SA Haskell and/or SA Yauger; SA Davis makes numerous efforts to locate SA's Haskell and Yauger—negative results Moore advised.

8:45-9:00 a.m.: Moore contacts SFFO—spoke with Clerk-Steno Zapata requesting SA's Yauger and Haskell. Clerk Zapata advised Agents not there.

Approximately 9:30 a.m.: SA's Yauger and Haskell advised by CP of Moore's telephone call and advised she would contact them later; Between 8:00 and 9:00 a.m., Moore made several calls to other law enforcement agencies (according to Sara Jane Moore during interrogation after arrest).

Approximately 1:00 p.m. (no log entry): FBI SA Worthington contacted SS CP SA Jacobs re: Moore. Advised she called him earlier and said she was arrested and he wanted confirmation. Jacobs advised yes, she was arrested earlier. Jacobs asked if her call to Worthington was about a threat. Worthington said no, she wanted to advise me of her arrest.

3:30 p.m.: At St. Francis Hotel, directly across the street from the Post Street entrance, Moore fired shot; Assailant apprehended—Identified as Sara Jane Moore (CO-2-71,022); Moore moved to Borgia Room, St. Francis Hotel, for interrogation.

Approximately 5:15 p.m.: Moore transported, via FBI vehicle, to SFFO.

6:23 p.m.: Moore transported, via FBI vehicle (SA Yauger in vehicle) to FBI Office/San Francisco.

Approximately 8:30 p.m.: Moore arraigned; Termination of Secret Service contact.

CHRONOLOGY OF EVENTS

Mr. BURKE. At 7:45 p.m., on the 20th, one of our agents received information from the San Francisco Police Department that we should speak to them about Sara Jane Moore. A number of phone calls were made inside of the next 45 minutes, and at 8:45 p.m., this information was passed on to a supervisor.

At 10 p.m., our agents spoke with Inspector O'Shea. That is the same night. The purpose of this call was for O'Shea to advise us of background information regarding Mrs. Moore's visit to Stanford University the next day with a gun.

So the agents investigating this matter and Inspector O'Shea discussed this at 10 p.m., on the 20th. At that time, Mr. O'Shea advised that Mrs. Moore was to meet with an ATF agent and a suspect dealer the next morning at 9:30.

O'Shea advised that he would contact Haskell concerning the results of that meeting, and now another Secret Service agent gets on the phone with O'Shea and he said that he wanted to know the results of that meeting immediately after the meeting took place.

So that is when the conversation took place and about which I guess you can get the exact information you want from the agents tomorrow.

Senator MONTROYA. That was at 12:30 when O'Shea asked the Secret Service whether they wanted Mrs. Moore picked up. Is that correct?

Mr. BURKE. You are into the next day, sir.

Senator MONTROYA. Yes, on Sunday.

Mr. BURKE. Your times and mine may differ slightly, Mr. Chairman.

Senator MONTROYA. What is your time?

Mr. BURKE. We tried to get in touch with Inspector O'Shea the next morning. We never did hear, by the way, from the San Francisco Police Department and when we didn't hear from them by 1 p.m., we called them to find out what the results of the 9:30 meeting actually were.

They advised that they would have Inspector O'Shea contact us. At 2:10 p.m., on that date, we finally did speak with Inspector O'Shea.

Senator MONTROYA. What was the conversation then? Is that when he asked you if you wanted her picked up?

Mr. BURKE. At that time, according to my notes, Inspector O'Shea advised that he had met with Sara Jane Moore in the morning and that he had discussed the situation as far as the buying of the gun with her and that he had taken the gun from her and that she was presently at her residence.

Our agent asked the San Francisco Police Department to conduct a surveillance of Mrs. Moore and Mr. O'Shea agreed. He said it would be effective immediately. Shortly after that, our agents decided that surveillance doesn't always work so we should issue an all-points bulletin because she was at her residence and the police may get there and find she wouldn't be there.

This lookout was placed with the Palo Alto Police Department, the Stanford University Police, and all of the Secret Service agents were notified by radio of the description of her vehicle and of her appearance. These were issued, according to our records.

At 2:25 p.m., a lieutenant from the San Francisco Police Department advised us that he was following up on our request that he conduct surveillance. He said she was at home and that they would in fact go out and see that she was covered during the visit.

At 2:50 p.m., we received information at our command post that Sara Jane Moore had been arrested by the San Francisco Police Department. That was 2:50 p.m.

We canceled the lookout that we had for her since she was in police custody. At 10 p.m. that night, our agents, after finishing the visit of the President to Stanford, went to the city prison expecting to find Sara Jane Moore there since she had been arrested, and they had no record of her in the book.

At 10:10 p.m., they contacted Mr. O'Shea and he said he had met with her, seized the weapon and she had been released at 5:30 p.m., which would probably have been satisfactory with the departure of the President.

INTERVIEW WITH DEFENDANT

These two agents then immediately went to the lady's residence and they began an interview with her and she requested that she not be interviewed at her residence, but that she be taken to the office. She didn't want agents in the residence for her own reasons. We agreed and went to the office.

The interview was conducted between 10:30 and 11:30 p.m. and, as I mentioned to you previously, Mr. Chairman, to our satisfaction that she had now been interviewed and evaluated. We drove her back to her residence and that was, as far as we were concerned, the end of that.

BACKGROUND INVESTIGATION

Now we had ordered an immediate background investigation which in these cases we do in 14 days. If we can put this in another context, Mr. Chairman, during that same time, we were handling nine other similar situations right in that same city.

We were checking 722 names of individuals who were going to be in proximity to the President, of which we found six in our files and we excluded those people from being near the President during that visit. So there were teams out there interviewing nine people. We have to do this daily on visits and the judgment was made.

Senator MONTROYA. But at that point, you knew that she was an informant for the Bureau of Alcohol, Tobacco and Firearms and also had been an informant for the FBI.

Did you in triggering in your mind the need for a background investigation, think of the idea of contacting the ATF and the FBI to bring you up to date on her past?

Mr. BURKE. Of course, that would have been the immediate part of our background investigation. As to whether they immediately spoke with the FBI and the ATF agents, Mr. Chairman, I am really not familiar. I know they were in constant dialogue with the San Francisco Police Department.

Senator MONTROYA. Who can tell me from the Secret Service that such contact was made?

Mr. BURKE. Mr. Yauger will be able to tell you tomorrow.

Senator MONTROYA. Did you ascertain during the course of your conversation or subsequently thereafter whether Mrs. Moore had in fact gone to Palo Alto?

Mr. BURKE. She did not go. From our information, she didn't go to Palo Alto. No, sir.

Senator MONTROYA. Mr. Chairman, do you have any questions?

NEED FOR ADDITIONAL PERSONNEL

Chairman McCLELLAN. I don't quite understand about your budget and about your personnel. Do you now have adequate personnel and adequate funding to carry out your responsibilities?

Mr. KNIGHT. I think so. Yes, Mr. Chairman.

Chairman McCLELLAN. I understand that there is in process now a supplemental budget request?

Mr. KNIGHT. That is correct.

Chairman McCLELLAN. Is that pending before the Office of Management and Budget?

Mr. KNIGHT. My understanding is that it is en route to the Senate at this time.

Chairman McCLELLAN. I understood you to say that that is necessitated by reason of an undue number of foreign visitors?

Mr. KNIGHT. Primarily, yes, sir.

Chairman McCLELLAN. You do anticipate, but you do not have now a budget request for additional funds that will be needed by reason of expenses that are being incurred in travel and so forth in providing security for a large number of Presidential candidates?

Mr. KNIGHT. That is correct.

Chairman McCLELLAN. Those are the only two reasons why additional funds will be needed?

Mr. KNIGHT. At this point, yes, sir.

Chairman McCLELLAN. Do you anticipate that by reason of the large number—I don't think any of us know yet exactly what that number will be—of Presidential candidates, that additional personnel will be needed, as well as additional travel and expense money?

Mr. KNIGHT. No, sir, not additional personnel for the candidate and nominee protection. No, sir.

Chairman McCLELLAN. In other words, you do have adequate personnel now. An increase in personnel is not required from your viewpoint to give better protection to the President or to others who have the protective services?

Mr. KNIGHT. That is correct, Mr. Chairman.

Chairman McCLELLAN. You have adequate funds to do that?

Mr. KNIGHT. Yes, sir.

Chairman McCLELLAN. Adequate personnel to do that?

Mr. KNIGHT. Yes, sir.

Chairman McCLELLAN. So the only question is how can you improve?

Mr. KNIGHT. Yes, sir.

Chairman McCLELLAN. And provide better protection; and money alone will not do it, you say?

Mr. KNIGHT. I do not believe so; no, sir.

Chairman McCLELLAN. Money for that purpose now is not needed except as indicated with respect to these supplemental budget requests that you contemplate later?

Mr. KNIGHT. Yes, sir.

Chairman McCLELLAN. So if improvement is to be made, it has got to come in the area of techniques and securing the information and evaluating the information that you received?

Mr. KNIGHT. Yes, sir.

Chairman McCLELLAN. That is your conclusion about it?

Mr. KNIGHT. Yes, sir.

Chairman McCLELLAN. Thank you.

Senator MONTOKA. Senator Bellmon?

INTERVIEW WITH DEFENDANT

Senator BELLMON. Mr. Chairman, I wanted to ask one question before we left the matter of the interrogation and surveillance of Mrs. Moore.

Mr. Knight, were your agents ever told by an official of any Government agency that "Moore is no problem"?

Mr. KNIGHT. The answer is yes.

Senator BELLMON. Could you give us any more information?

Mr. BURKE. Again, Senator, you are going to have the best witness tomorrow, and my words may be slightly different than his.

But in my asking the agent as to the conversation that took place when our agent was in the process of interviewing Mrs. Moore in the office, she at first was hesitant to speak and she asked if she could call someone in the police department.

She called an officer in the San Francisco Police Department; I believe Mr. O'Shea, but I am not sure whether it was Mr. O'Shea or Mr. O'Sullivan.

After speaking with this officer, she got back off the phone and said, "Yes, I will talk;" because obviously, the officer on the other end had allayed her fears and asked her to cooperate and talk.

The agent tried to get back on the phone to ask a question of Mr. O'Shea and the subject had hung up the phone. So the agent went to another phone and he dialed back and spoke with Mr. O'Shea and said, "Do I have a problem here?" He says, "You have no problem."

That is again what I am getting third-hand. I am not trying to put anything on anybody or trying to change any feelings in your mind. I am just saying that this is what has been told to me. The agent who made that phone call should be with you tomorrow.

Senator BELLMON. Perhaps we should then go into this matter with the agent. It sounds from what you have said in that context that the Secret Service would have been somewhat disarmed so far as Moore is concerned.

I have some questions, Mr. Chairman, but I would be happy to defer to my senior colleague, Senator Young.

Senator MONTOKA. Senator Young?

Senator YOUNG. Just a few questions.

AUTHORITY TO ARREST AND DETAIN

When you interrogated Mrs. Moore, was there a State law or Federal law that permitted you to detain her at that time, to keep her in custody?

Mr. KNIGHT. The answer is "No." We have title 18, section 871 of the United States Code which would permit us to arrest and detain someone who makes a direct threat against the President. This was not made.

The commitment proceedings, as you know, vary from State to State. At the same time, I must be candid and say she exhibited no mental aberrations that would even have given us a thought to having her committed. But there is no law.

Senator YOUNG. Is there a California statute that prohibited her from carrying a gun?

Mr. KNIGHT. I understand the carrying of a gun—I read this in the paper—is a misdemeanor in the State of California, for which she was cited; in other words, given the equivalent of a traffic ticket.

PRESIDENTIAL PROTECTION

Senator YOUNG. When you advised the President not to go into the crowds and shake hands when he left the St. Francis Hotel, did you know Mrs. Moore was in the crowd outside?

Mr. KNIGHT. No, we did not. That was a judgment made by the agents on the scene as to the general assessment of the situation; but it was not in connection with knowing that Mrs. Moore was in the crowd.

Senator YOUNG. The Secret Service does things that I certainly wouldn't do, that of throwing oneself in the way of the bullets to protect the President. I understand that happened with Vice President Johnson.

Just another question: How do Presidents and Vice Presidents and candidates for President behave when you advise them not to go into an audience? Do they always abide by your wishes?

Mr. KNIGHT. I think the word "always" is a very strong word. I think they always take our recommendations into consideration, but they don't always follow those recommendations.

Senator YOUNG. If a President decides to go out in the audience and shake hands against your wishes, there isn't much you can do about it, is there?

Mr. KNIGHT. It is our responsibility to protect him, no matter where he goes, sir.

Senator MONTOYA. Senator Eagleton?

ASSIGNMENT OF SPECIAL AGENTS TO PRESIDENTIAL CANDIDATES

Senator EAGLETON. Thank you, Mr. Chairman.

Mr. Knight, let me try to clarify a bit, if I can, about the assignment of agents to the six Presidential candidates that will begin tomorrow, October 1.

As I get the gist of your testimony, what you will do is you will draw agents, experienced agents—from other activities such as counterfeiting, inspection and control, forgery, and so forth—you will draw from that pool of existing trained agents and assign these agents

to the Presidential protection area because, I take it, you deem that to be the top priority function of your agency?

Mr. KNIGHT. That is correct. These gentlemen and ladies will come from the 62 field offices that we have throughout the country.

SPECIAL AGENT TRAINING

Senator EAGLETON. Now I would like to inquire a little bit about the gathering of intelligence, its analysis and specifically the conducting of interviews.

What kind of training do your agents have in the gathering of intelligence and its evaluation? What type of training do the Secret Service agents undergo in their training period in the art of gathering intelligence and its evaluation?

Mr. BURKE. We have a formal training school that all agents attend before they can assume a role in a protective function. They might get involved in a local arrest situation before going to this school, but not a protective assignment.

I will just give you a few of the factors we cover. There is a block on an introduction to protective intelligence programs in which they are acquainted thoroughly with the recommendations of the Warren Commission.

They review what happened in Dallas and other situations in other countries of a similar nature and they are given an introductory lecture. They are then given a course by a psychologist from the private sector and he spends as much time as necessary to try to explain to them what normal behavior is, what a temper tantrum is as opposed to a psychotic outburst.

After the normal behavior, they are taught by a psychiatrist from St. Elizabeth's Hospital who is responsible for accepting the people that we refer for possible commitment and this psychiatrist dwells on the mentally disturbed person or abnormal actions by an individual.

After having these blocks of instruction, they then are involved in actual situations where two agents before the class get into a role-playing situation where someone from outside of the class will act as a subject, with pre-scheduled statements they are supposed to make prepared by the psychiatrist and the psychologist and they are reviewed by these two doctors and then the whole class is involved in discussion of what happened.

There are critiques and there are other practical exercises. They are taught what to do if a terrorist attack occurs when they are involved with a principal. Not to handle it, but what to do so as not to inflame the situation.

Again, they visit, on occasion, the hospital and see actual situations. This is also included in our refresher course.

EVALUATION OF INTELLIGENCE

Senator EAGLETON. At what level in the Secret Service is intelligence evaluated; that is, who does the evaluation of raw data or raw intelligence which field agents or others in law enforcement filter into the Secret Service?

Mr. BURKE. The initial evaluation is made either by an experienced special agent or by an employee hired, as we term them, an IRS,

or intelligence research specialist. These people make the initial evaluation. Then it goes to a supervisor and then it goes to a higher supervisor.

No document or phone call or piece of information received by the Secret Service in our Intelligence Division is acted upon as to investigating or placing it into our file unless it is approved by a supervisor.

Senator EAGLETON. Mr. Knight, I was interested in your statement that there can be such a phenomenon as too much intelligence. I agree with you. For example, there are literally tens of millions of weapons in this country, rifles, shotguns, automatic pistols, and the like.

If information pertaining to every individual who owned a firearm were submitted to your agency, you would drown in a sea of information, wouldn't you?

Mr. KNIGHT. I don't think there is any way we could cope with that amount of information.

Senator EAGLETON. Didn't your agency find back some years ago that trying to maintain files, cards or whatever you call them, on tens of thousands of individuals was just too massive an undertaking to be feasible?

Mr. KNIGHT. Totally unmanageable, yes, sir.

Senator EAGLETON. Now let's get into this question of surveillance. Some have suggested and I think in the public commentary of the events of San Francisco, that individuals suspected of behavioral abnormalities should be surveilled.

First of all, to put this into context, how many Secret Service agents are there, total nationwide?

Mr. KNIGHT. Approximately 1,350.

24-HOUR SURVEILLANCE

Senator EAGLETON. How many agents are needed to conduct around-the-clock, 24-hour surveillance?

Mr. KNIGHT. I have to give you a qualified answer on that. It depends on the subject himself, the area in which he lives, what his or her travels are, where they go.

Senator EAGLETON. Let's assume it is an individual in Los Angeles; let's take it away from San Francisco. Let's assume it is an individual in Los Angeles who has gainful employment, drives to and from his home to his place of work, also stops at grocery stores, maybe stops at a bank; he travels in or around the greater Los Angeles area.

How many men or women or both would it take to conduct an around-the-clock, 24-hour surveillance of an individual of that description?

Mr. KNIGHT. Based on what you have described, my estimate would be probably 14 or 15.

Senator EAGLETON. I think that is the standard accepted number, at least it was by the St. Louis Police Department when they were conducting surveillances. So 15 around-the-clock.

So if you assigned every Secret Service agent on the staff, brought everybody in and said we are going to go big in this surveillance

business, you would be able to conduct something less than 100 surveillances. Is that correct?

Mr. KNIGHT. That is correct.

Senator EAGLETON. This is not to say anything about the civil liberty consequences of these surveillances. I think you are familiar there is considerable discussion as to what rights a law enforcement agency has insofar as the right of privacy of an individual, the right to free movement, and so forth; what rights that law enforcement agency has to conduct a 24-hour surveillance.

The court seems to say that there comes a point in time when you have transgressed that individual's civil liberties.

Mr. KNIGHT. As a matter of fact, Senator, you probably recall there was a case in Illinois where the person being surveilled went into Federal Court and received injunctive relief, where they were required to reduce the number of people they had surveilling.

Senator EAGLETON. Have you in the past year conducted, either in whole or in part, a surveillance of suspected individuals in excess of 24 hours?

Mr. KNIGHT. The answer is yes.

Senator EAGLETON. Have you conducted some of those surveillances in the State of California?

Mr. KNIGHT. The answer is yes.

Senator EAGLETON. Were any of those surveillances conducted in the Sacramento area prior to the President's visit or during the President's visit?

Mr. KNIGHT. The answer is yes.

Senator EAGLETON. The same question with respect to San Francisco on the President's subsequent visit to San Francisco?

Mr. KNIGHT. The answer is yes.

Senator EAGLETON. Do you as a matter of routine conduct these surveillances on an exclusive basis using totally Secret Service agents or are they sometimes a mixed bag, with other law enforcement agencies participating?

Mr. KNIGHT. No; we often work with the local enforcement agent because, as they say, he knows the territory.

TRIP FILE

Senator EAGLETON. Let me get into this question of the trip file. That is the hot list, I take it, roughly 300 individuals nationwide who are the top suspects for potential harm to the President of the United States.

Mr. KNIGHT. Yes, sir.

Senator EAGLETON. What has been the range of variance insofar as the high number on that list and the low number, say, in the past year or two? Roughly, if you don't have the figure.

Mr. BURKE. Roughly, and it is rough, say, 450 to 500, down to 250, or 265.

Senator EAGLETON. It has varied between 450 and 250, roughly?

Mr. BURKE. I would say that; yes, sir.

Senator EAGLETON. On a roughly analogous basis, is this list of 250 to 450 a more elaborate version of the list that is similar to what the FBI keeps, the 10 most wanted?

Mr. BURKE. I guess you could refer to it in that context, Senator.

Senator EAGLETON. Without using the names of any individuals, past, present, living or dead, can you give me some of the criteria that go into an individual's getting on that list and then, secondarily, how does an individual get off that list?

Mr. BURKE. Of course, this list is compiled really at the top supervisory level in our Intelligence Division, consulting with our senior supervisors around the field. We have to have something that is workable, as you pointed out.

He or she gets on that list if we really believe we don't want to go into his area and not know where he is. That is about as easy as I can say it. We have to draw a line somewhere.

We certainly would like to be able to double, triple or quadruple that list and be on the safe side. We are in the business of having to make these decisions. If we are concerned so much that we want to know where he is every time the President leaves Washington, he makes that list.

There are subtleties with that, but this is basically it. We try to work with that constantly.

Senator EAGLETON. What you are telling me is you want to know the whereabouts of the people on the 250 or 300 list at all times?

Mr. BURKE. Right.

Senator EAGLETON. You use all of your field offices to gather information pertaining to the current whereabouts of those individuals?

Mr. BURKE. That is correct.

Senator EAGLETON. But my question is, How does Mr. X get evaluated from the list of 38,000 to the top list of 300?

Mr. BURKE. I guess it is like with executives in corporations. Somebody who comes along who is more important. We retire somebody from that list if in a period of time he has not exhibited a consistent pattern of the tendencies that brought him on the list in the beginning and we have to make room for new arrivals.

So again, the judgmental factor becomes involved. We retire someone from the list when we take the calculated risk that he is no longer that important.

Senator EAGLETON. When you go into a specific town with the President and you advance his trip, do you make a particular check of individuals who were known or had in the past lived in the general area that the President is visiting? Do you draw a radius outside of the city and say, "We sure want to know where Mr. X, Mr. Y are," who are known to live in this area?

Mr. BURKE. Yes, sir. Prior to a trip, we will review all of the current activity. We have a weekly summary report on each district. We would review all of the summary reports on adjacent, adjoining offices.

As you say, we have to decide how far we are going to go, but as concerns these subjects on the trip file, we pay particular attention to them and we have to assure ourselves that if we haven't interviewed them prior to the trip, that someone is aware of where they are at a particular time.

If we found one of these trip subjects in that radius but we don't know where he is, we would put a lookout with all agents and police with photographs, and be watching for him.

Senator EAGLETON. Are there some individuals who fall into the category, I will call it transient, people who are highly mobile. They may be in New York one day, Chicago the next, and so forth, and thus they have to be checked on regardless of where the President goes?

Mr. BURKE. Yes, sir. The individual special agents in charge of the 62 field offices that we have, when they know the President is traveling, pay particular attention to these subjects, whether he is in New York and the agent in charge is in St. Louis, he checks to see if his trip file people are in pocket. If he finds they are not, he will get in touch with us.

But there are some who are, as you say, in the top grouping that we are constantly concerned about where they are.

Senator EAGLETON. Mr. Bremer, the man who made the attempt on Governor Wallace's life back in 1972, was a highly mobile character. Was he ever on your list, either the 300 list or the 38,000 list, insofar as you know?

Mr. BURKE. No, sir. He had never been brought to our attention by any enforcement agency or by drawing attention to himself by writing or calling. We were totally unaware of Mr. Bremer.

Senator EAGLETON. Going back to earlier days, was James Earl Ray ever on one of your lists?

Mr. BURKE. Not to my knowledge, sir.

Senator EAGLETON. Sirhan Sirhan?

Mr. BURKE. Again, not to my knowledge.

Senator EAGLETON. Lee Harvey Oswald?

Mr. BURKE. No, sir; he was not.

Senator EAGLETON. Just to tidy it up, but not to belabor it, were either Miss Fromme or Mrs. Moore ever on any Secret Service list?

Mr. BURKE. Never on any Secret Service list. As indicated here, Mrs. Moore came to our attention the day before.

Senator EAGLETON. Thank you, very much.

FICTIONAL BOOK ON SECRET SERVICE

Senator YOUNG. Mr. Knight, could I ask one question?

Mr. KNIGHT. Yes, sir.

Senator YOUNG. I have been reading a book about you and the Secret Service. Is it true that you wear a switchblade knife on your leg?

Mr. KNIGHT. I would say that book is mostly fiction, Senator. I do not wear a switchblade knife on my calf.

SUBCOMMITTEE RECESS

Senator MONTROYA. Senator Bellmon had to go to the White House. He indicated to me that he wishes to ask you a few more questions. So we will be in recess until 2 o'clock this afternoon.

[Whereupon, at 11:55 a.m., the subcommittee was recessed, to reconvene at 2 p.m., the same day.]

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[AFTERNOON SESSION, 2 O'CLOCK, TUESDAY, SEPTEMBER 30, 1975.]

DEPARTMENT OF THE TREASURY

REVIEW OF SECRET SERVICE PROTECTIVE MEASURES

CONGRESSIONAL WITNESSES

**STATEMENT OF HON. HUBERT H. HUMPHREY, U.S. SENATOR
FROM MINNESOTA**

Senator MONTROYA. The subcommittee will be in order.

We would like to accommodate Senator Humphrey right now. Bear with us for a few minutes because Senator Humphrey has another place to go.

Senator Humphrey, we are most pleased to have you here this afternoon. I know you have been a Presidential candidate. You have been Vice President and I think we can benefit from your experiences with the Secret Service. If you have any testimony to offer, I would be very happy to receive it.

Senator HUMPHREY. Mr. Chairman, members of the subcommittee, I am here at the invitation of the subcommittee to share with you my thoughts on the subject of the protecting of the President and the Vice President and the Presidential candidates by our Secret Service and, of course, by other law enforcement and protective agencies.

During the period from 1964 to 1972, with the exception of the years 1969 and 1970, I had an intimate working relationship with members of the Secret Service.

I consider Secret Service agents to be professionally competent, diligent and thorough. They are people of remarkable ability. During the time of my Vice Presidency we had Secret Service protection nowhere to the degree that it presently is provided. But we thought it was adequate in the campaign of 1968.

We had that protection again in 1972 in fewer numbers than presently is authorized by law or by appropriation. But, again, I felt that the agents did a remarkably good job.

During the period I received protection there were possibly more dissident elements at work in the American society than at any time in my lifetime. The period 1965 through 1968 insofar as I was concerned was a period of tremendous tension and danger and the possibilities of physical harm always were there.

I had to depend entirely upon the professional competence of the Secret Service. I worked very closely with that agency. I consider many of its members to be personal friends. They work under very severe constraints. There are limits as to what they can do.

What would be my suggestions as to how you could further improve the protection for President, Vice President, and Presidential candidates?

Obviously, you have to ask if there is enough manpower. That is a question that can be handled very readily by this committee or any other committee that has the jurisdiction to consider it.

If you will listen and respond to the requests of the Director of the Secret Service, he will inform you factually and honestly as to what is needed. I would bend over backward to accommodate that request.

NEED FOR ADDITIONAL MANPOWER

Senator MONTROYA. Senator Humphrey, the Director has testified this morning that he has adequate manpower at the present time.

Senator HUMPHREY. That would be my judgment. A great deal of manpower was added in the early seventies, as you know. I know, for example, that the detail for the Vice President today is substantially larger than it was at the time I served as Vice President.

The point that has to be kept in mind is that there just isn't any way that you can give complete and total protection to a President, Vice President or a Presidential candidate. There just isn't any way.

These are risks that people in public life must take and we must understand that.

Second, I think we have to keep in mind that there is a great concern in this country about people's civil rights and civil liberties. Therefore, some of the authorities which are in the hands of protective agencies in other countries are not in the hands of the protective agencies in these countries. For example—and I surely don't recommend it—there is preventive detention on just suspicion. We believe in the rights of the individual and we pay a price for that belief. I think we have to understand that.

There is need for the closest cooperation and coordination between the Secret Service and the State and local police and all instruments of law enforcement—every single agency, not just the normal sheriff's detail or police department, but other law enforcement officials wherever a President or a Vice President goes into an area.

All of the instruments of protective services and law enforcement, whether they are in the Alcohol and Tobacco Division or whether they are in the Food and Drug Administration, whatever you have, I think, need to be mobilized on that particular occasion under a plan that is highly coordinated to give ample protection to the principal; that is, the President or the Vice President or a Presidential candidate.

That is the emphasis that I would give in all of this. We do have problems in some of the communications systems in the country. We are not all on the same wavelength, so to speak, in electronic communications, as you may have heard from other witnesses.

But the Secret Service generally, if it knows the President's itinerary—and it generally has advance notice—is able to go out into a community, make the proper surveys, contact the local law enforcement officials, and set up the kind of coordinated system that will give the maximum amount of protection.

They do interview suspects, as you know. There are in the police departments of the country and in the FBI and in other law enforce-

ment agencies files on people who might present some kind of a risk under certain circumstances.

Those people, as I understand it, are interviewed. The police are alerted as to them. There generally is a watchful eye put on them. I don't think that an investigation of this sort ought to be looked upon as being critical of the Secret Service and I know it is not by you, Mr. Chairman, or by the members of this subcommittee.

It simply is a matter of how can you implement it, strengthen it, or in any way improve its professional competence.

COOPERATION WITH SECRET SERVICE

There are many other points about the kind of protection that you can give a President. I think the main thing that a President and Vice President have to remember is to watch their itinerary, to cooperate fully with the protective agencies and to keep on the move, never to stand still if they can prevent it. Unless it is a speech where they are required to stand at a podium, they never should stand still. They should try to move at all times. It is more difficult to hit a moving target, to put it bluntly. The minute you stand still you are subject to any kind of thing that can happen to you from being belted with tomatoes, lettuce or cellophane bags filled with paint, to being shot at.

So if a President and a Vice President and a candidate will listen carefully to what the Secret Service tells them to do in terms of their movements the chances are that they will get reasonably good protection.

But, on the other hand if you do everything they tell you to do, you won't see many people. If you are a public official—an elected public official—you have to do more than shake hands with the Secret Service.

NEED FOR PROTECTEES TO MINGLE WITH CROWDS

Senator MONTROYA. Senator, there is a great debate going on now as to whether the President should come close to the crowds or to the people when he is traveling. What advice do you have on that?

Senator HUMPHREY. If you are a political person, you are going to want to get there, and I think it ought to be limited to a degree surely, but you run the chance. If a person is out to get you, he can be 20 feet away or 40 feet away and for all practical purposes it may be easier to get you from that distance than it is if you are right up on the fence, because if you are close to the fence all the time, you have a Secret Service man practically shaking hands with you going down the line. If you watch the agents, their eyes are glued on that audience or on that crowd. But I do think that in light of what recently has happened the President has wisely limited some of his movements.

There is a tendency when these things happen, like assassination attempts, to trigger a whole number of other assassination attempts. You and I know that.

There is a certain number of people that, for some reason or another, the minute they see an attempt or hear of an attempt such as an assassination attempt, they like to get in on the act.

Yet you can't expect the news media of the country not to cover it. I have heard a lot of people say if the news media wouldn't play it up, you wouldn't have it. Well, it wouldn't be much of a news media if it didn't report the simple fact that an attempt had been made on the President's life or a candidate's life. In this kind of country, Mr. Chairman, you just have to take that risk.

There are those who say that the President ought not to be out there shaking hands. You can get by without doing it. There is no doubt about that with the modern electronic media. But most Presidents do this and most public officials do it for two reasons:

No. 1, it is good news copy.

No. 2, it makes you feel good. It makes you feel good when you are a Senator or a Congressman and if you run for President or if it is your responsibility to hold that office, there is something about it that gives you a sense of uplift and of strength from being close to the people.

That is inevitable, except there may be a case or two where that is not the situation. But I would hope that it would be very much limited and it might be under much more carefully guarded conditions.

Senator MONTROYA. Thank you, Senator Humphrey. Would any of the members of the committee have any questions?

Senator YOUNG. Only one, Senator. Did the Secret Service ever catch you standing still?

[Laughter.]

Senator HUMPHREY. A couple of times, Senator Young. As a matter of fact, when I was in Italy as Vice President, I was going to the opera and I had as my date that evening the 13-year-old daughter of the American Ambassador. I had been instructed by the Secret Service, because at that time we were having all kinds of demonstrations due to the war in Vietnam, to be sure that I never hesitated from the minute I got out of the car. I was to walk at an appropriate pace to the entrance and keep moving. But when I got out of the car, I waited for my little 13-year-old date because she was sort of primping up, getting herself all fixed up in the car before she got out.

While I was waiting there, the secretary of the Young Communist League of Milan, Italy, decided to belt me with a plastic bag of yellow paint. He missed me and hit the director of the opera, chest on. The only thing that I could say at the moment, to the director of the opera was "Does this happen often?"

[Laughter.]

Senator BELLMON. Mr. Chairman, I have a couple of questions.

Senator MONTROYA. Senator Bellmon.

Senator BELLMON. Senator Humphrey, you have just made some points that I would like to go into a little further. You said if you are a public official or candidate you have to take these risks, that you have to see the people but then you mentioned that perhaps it could be done in a more carefully guarded condition.

ELECTRONIC SCREENING

Have you ever considered what would be your reaction to the possibility of using something like the same kind of electronic screen-

ing mechanism that we now use for airline passengers? This was suggested this week, I think, by Time magazine. Can you reflect upon that possibility?

Senator HUMPHREY. It is bad enough at airports, Senator Bellmon. I can see that from a technological point of view it is operative. But when you stop and think of the crowds that a President is going to see, I don't think it is possible. While I realize the proximity of the President to the crowd obviously is a factor that has to be carefully considered, I think you have to keep in mind that Lee Harvey Oswald was not very close to President Kennedy. If somebody is there to commit an act of assassination, he does not have to be within 2 or 3 feet or 5 or 10 feet.

Obviously, with the handgun, close proximity is of importance to the would-be assassin and of danger to the would-be victim. But if someone is determined to do this, this dastardly act, the only time I see that you can stop it is with the most careful screening of every possible suspect before the candidate or the President or the Vice President arrives.

This requires the cooperation of a number of private individuals. For example, some of these people that are would-be assassins or would like to commit an act of violence may actually be employed in a legitimate industry or in a legitimate pursuit and if they are, then the Secret Service or the local police must ask the cooperation of that employer to get the would-be assassin out of town, to get him away.

SURVEILLANCE OF SUSPICIOUS PERSONS

If you need to recruit additional people to keep an eye on a would-be assassin, that could be locally. In other words, in an instance where there is any reason to believe that a person is mentally unbalanced or has indicated in the past feelings of militancy, or of bitterness toward the President, Vice President, or Presidential candidate, or in any way has given indication that he would commit an act of physical harm or injury, I think then that the least you can do is see that that person has someone assigned to be right alongside him, some local police officer, somebody that has power of arrest and somebody that knows how to handle a situation like that.

As I understand it, even in this last case, in San Francisco, there was reason to believe that the would-be assassin was an unstable person, that she would commit and could commit an act of violence.

If that is the case, there ought to have been somebody assigned to that person. You can ask how many people would it take. In an ordinary community or in a large crowd, you wouldn't find over 40 or 50 such suspects that had had an interview or that had been checked out carefully.

If there are that many suspects, I think it is not unreasonable to ask the local police to assign an officer to watch those persons.

I think that could be very helpful rather than just running them through the screening. You would have to make a value judgment, a calculated judgment. If this is a person that has belonged to an organization that has a record of militancy, a record of violence,

a record of disruption, or a person that seems to have some degree of mental instability, rather than just make a value judgment, you ought to risk on the side of being careful and assign somebody to watch that person every single minute that the President is within any proximity of the individual.

I think that could be done. Maybe the Secret Service does that. I know it is well aware of the potential dangers in a community. Somebody is going to say immediately that this is the kind of harassment that takes place. You are going to have to put up with some of this, gentlemen.

You cannot listen to everybody that simply feels people ought to float free as a sea gull when the President is around or the Vice President or a candidate when you have reason to believe that that sea gull is going to attack you. I think you ought to assign someone to watch them.

Senator BELLMON. It seems as if Senator Goldwater had thought on this subject. Senator, would you want to comment on the idea of electronic screening?

STATEMENT OF HON. BARRY GOLDWATER, U.S. SENATOR FROM ARIZONA

Senator MONTOYA. We might develop a dialogue on the witness stand here between the two Senators.

Senator GOLDWATER. I just agree with most of what Senator Humphrey has said. I would have some varying thoughts on how to protect the President or Presidential candidate.

If you would like me to make a few remarks first leading up to it, I think it might be all right. Were you all through?

Senator HUMPHREY. Yes.

Senator MONTOYA. Go ahead.

Senator GOLDWATER. I didn't have any Secret Service protection from the time I was first suspected of being a candidate until the day after that cliff-hanger.

[Laughter.]

Senator GOLDWATER. As close as I can tell, my campaign spent between \$300,000 and \$400,000 for private protection, namely, the Pinkerton Agency, which we again used mostly in the hotels where we stayed.

At the airports we had to depend on the local police. Sheriff Pitchess, of Los Angeles County, was more or less in charge of my general safety. I at no time felt that I was in any danger. But I had both traveling protection in this way and advice from Sheriff Pitchess, and the only time that I can remember, either the FBI or the Secret Service getting into the act was I think the FBI told me how to safeguard my home electronically, which is located on a hill in the desert near Phoenix, Ariz.

That little electrification took \$8,600 out of my pocket in those days. Lord knows what it would be today.

I received threats on my life. I was hit by I think three eggs and two stones and lost the sleeve of my coat three times, but that was all right.

I was threatened. I found out today I had one threat from a man with a rifle someplace in Ohio, but they talked him into waiting

until my plane had left. They put enough telephone systems in my house to furnish 400 people. I forget whether I paid for that or not. I suspect I did but they won't take it out because they say it would cost too much to take it out, more than it is worth.

So I have got a lot of phone systems if any of you fellows are hard up for them.

[Laughter.]

NEED FOR PROTECTEES TO MINGLE WITH CROWDS

Senator GOLDWATER. I paid for all of my transportation. The airplane, as I recall it, cost \$82,500 for approximately 140 to 150 hours. But I also am happy to say that because we charged the press a fair amount, we made a little money on that.

So in all, I can see the need for protection. Where I would differ with my friend, Senator Humphrey, I question whether or not a candidate for President, particularly if he is an incumbent, really has to get out and shake hands. I will say this as a politician, it is a great temptation. There is nothing we like better than to feel that hand in ours.

I shook 5,000 hands in one day and got the devil beat out of me. I don't agree that you have to have your hand shaken by every little tot in the United States or give an autograph to anybody who is obviously not a professional autograph seeker.

In other words, I think the candidates should be made to be more selective. I will go further with what the Senator said to you. I am convinced that if any man or woman wants to kill any candidate, if they are willing to risk their lives, they can do it regardless of the Secret Service, private service, FBI or the sheriffs. There is just no way.

PRESIDENT URGED TO RESTRICT TRAVEL

So I have urged my President to stay in the White House. This is a little different case. I don't think this country can go through the traumatic experience of the third Presidential assassination within so few years. I think, frankly, if I were the President, I would stay in the White House and try to impress the people with the kind of a job I could do there, not with the kind of job I might be able to do out on the hustings. That is all I have to say.

Senator MONTROYA. What about the Vice President?

Senator GOLDWATER. Certainly it would apply to the Vice President. I think the Vice Presidential candidate today is of equal value to the Presidential election. He is a heartbeat away from being the head man. In fact, I think anybody in public life has got to feel that they might not get shot the next place they stop.

I can say this—I think I speak for the Senator, for all of you—I don't think any of us has ever given this a thought. Where I got hit by eggs is probably in the most peaceful part of the United States. Where I got hit by rocks was a little tougher part, but you expect those things.

CANDIDATES' ABILITY TO DECLINE PROTECTION

Senator MONTROYA. Do you believe it desirable in the national interest for candidates to be allowed to decline Secret Service protection which by law the President and the Vice President have no alternative but to accept?

Senator GOLDWATER. No, I don't think so. I think once the law has said this individual—I don't care whether he is a Presidential or Vice Presidential candidate or whether he is announced—has gained sufficient prominence in American public life to require his appearing before groups of people that he should be deserving of Secret Service protection or Secret Service advice.

Senator MONTROYA. What about our political system which, through tradition, has had the Presidential and Vice Presidential candidate come in close contact with the people? Do you feel that keeping the President away, in light of the experiences we have had recently, will not hurt the political process?

Senator GOLDWATER. No, I don't think so. I agree with Senator Humphrey, that we have to be very selective. Where the President was shot at last week just outside the St. Francis Hotel in San Francisco, would be a selection as a very logical place to assassinate a President.

But if I am talking to a plowing contest in North Dakota or South Dakota, I would feel very safe because the audience is quite a way back and I think the surveillance of the Secret Service would be such that they would know where to look for a rifle and a rifle is the only thing that is going to act much over 50 yards.

Senator MONTROYA. Some of the most recently announced candidates for the nomination for President have turned down protection from the Secret Service. What comment do you have on that?

Senator GOLDWATER. Of course, I think that is up to all of us in our individual rights as Americans to decline the help of Secret Service. I think, in the protection of men who have already been elected to public office, I think his colleagues, those of us not running, have the right also to say that we think this man or that man should be protected.

I don't care who is killed by an assassin's attempt in this country, whether he is in the political movement, the labor movement, the religious movement, the business movement, or what, it is a sad commentary on the state of things in our Nation.

We have had more assassinations in the last 10 years I think than any country in this century. I am rather ashamed of it. I don't want to see us having others assassinated just because now—Time magazine made the girl the cover of the week and little children like Patty Hearst that made the cover of this, that and the other thing. Frankly, I think they ought to have their hides in jail where they belong, not on the front pages of our prominent newspapers and magazines.

That is when we begin to encourage other idiots or nuts, to say, "Well, I am not going to kill him but I am going to scare the daylight out of him."

Senator MONTROYA. Senator Humphrey, do you have any comment on the last two questions?

Senator HUMPHREY. Mr. Chairman, first of all, insofar as the pressing of the flesh, and so forth, I don't think it is necessary at all. I agree with that. I just simply said that I thought that some people got a lift out of it and it is a risk.

Whether or not you can ban that as a civil right or a civil liberty is another question. I think you can advise and counsel a President and Vice President that there ought to be a minimum of such contact. It is not necessary. It is absolutely not necessary.

Like Senator Goldwater says, I don't think you gain a vote out of it. The most that you gain out of it is a kind of temporary lift for yourself.

I think that when a man who is President or Vice President of the United States knows that there is danger of violence and physical injury and assassination, knows that it will adversely reflect upon the country as well as disrupt the political system, that we have a right to expect some forbearance and some prudence of judgment; in other words, to very much minimize it.

Now as to candidates for the Presidency, their right I am sure is to turn down Secret Service protection. But I want to tell each of these candidates that if something happens to one of them, it is a reflection upon the entire country. It is a reflection on our protective system.

SECRET SERVICE PROTECTION HELPFUL TO CAMPAIGNS

I think that a candidate for the office of President who qualifies under whatever standards you put there for qualification ought to use the protection that is available.

First of all, it will help them greatly in moving their campaign.

Second, it does give the people who are sponsoring meetings, it does give people who are involved in these things some greater sense of security. It surely minimizes the chances of any physical violence.

It won't guarantee it. As Senator Goldwater said, if a person is willing to pay the price of committing an act of violence or assassination, he will get it done.

Senator MONTOYA. Senator Eagleton, do you have any questions? Senator Bellmon?

Senator BELLMON. Let me ask one question of Senator Goldwater. Did I understand you to say, Senator, that you paid for your own protection clear through the campaign, or was it just up through the convention?

Senator GOLDWATER. It was through the whole campaign. I think the only time a Secret Service man saw me was on election day when I never campaigned and I was out trimming the cactus in my garden. He told some newspaper man that that is where I was. I didn't see him, so I can't verify it.

Senator HUMPHREY. This was the standard before the 1968 election. The 1968 election brought the Secret Service in after the assassinations of Dr. Martin Luther King and Senator Robert Kennedy.

Senator BELLMON. Do either of you feel we have overreacted, that Congress has overreacted in the protection business, if Senator Goldwater was able to survive a campaign?

Senator GOLDWATER. Let me say, things were not as chaotic in this country in 1964 in those respects as they are today. We have these radical groups acting outside of our concept of the bounds of decency or even the bounds of our Government, who get encouraged every time some nut takes a shot at somebody and misses.

Then someone will say, "Well, by golly, two of them have missed, maybe the third one will be me." That is what bothers me. We give these things front page publicity.

I agree with Senator Humphrey, the newspaper's job is to report, the media's job is to report. So they report what is going to sell newspapers and keep their Nielsen ratings up; namely, the blood-and-guts of news, and assassination is one of those.

But we are not living in the same kind of era, nor are we living with the same kind of people that the Senator and I had to put up with in 1964 when we would meet on many delightful occasions around this country and tell each other lies about who was going to win. He told better ones.

Senator HUMPHREY. I was telling him the truth all the time. Let me say, Senator Bellmon, I had no Secret Service protection in 1964 in the campaign. I remember the evening at Minneapolis when the election results were in. At that moment the Secret Service appeared, when I was the Vice President-elect. But all during the campaign, we had none.

The difference of the environment in this country in 1964, as compared to 1968, is the difference between a balmy breeze and a hurricane. There is no comparison. During the 1968 period and the 1972 period, particularly the 1968 period, there were constant threats of violence and physical disruption.

FAMILY MEMBERS THREATENED

I don't believe anybody can understand it unless you have gone through it. There wasn't a time that you didn't feel that there was something terrible that could happen, that could be terribly bad to you or your family.

It isn't just the candidate.

Members of the family likewise are threatened. This is regretfully one of the things that you have to put up with. As Senator Goldwater has said, times have changed and changed materially, and from 1964 to this time you have guerrilla warfare people. You do have these people who think that somehow or another they are going to change the system and change the whole country by one shot and one bullet.

That is why I think that closer surveillance in every possible way within the limits of our constitutional protection has to be exercised.

I repeat what I said, that if you find somebody and there is reason to believe that this person belongs to an organization that has declared its intent to disrupt this Government through violence or that has made any comment that would indicate physical harm to the President or the Vice President, you do not have the right of preventive detention, but you do have the right to have an officer assigned to watch that person with every possible careful detail, to watch his every movement, and be right alongside of him.

A good officer can do that; that is clumsy, but it is better than just letting things float.

Senator BELLMON. Do either of you men feel that more prompt and more certain and perhaps more severe punishment of those who attempt to take the life of a President would help deter this kind of activity?

Senator HUMPHREY. Indeed, I do. I don't know how you can make it more prompt and maintain due process, but I think the punishment ought to be severe and swift.

Senator GOLDWATER. I really believe in that.

Senator HUMPHREY. I agree with what Senator Goldwater said. It is one thing to report the news, and it has to be reported, but it is another thing to make it a cover story. I do believe there are limits to everything.

If you are going to ask the President to limit his movements as the President of the United States, the one man that represents hopefully all the people of this country, at least a vast majority, then I think you have a right to ask others to put everything in balance.

Yes; report the news, report what happens, but you don't have to make it No. 1 out of all the news stories.

AUTOMATIC SENTENCE FOR USE OF HANDGUN IN COMMITTING CRIME

Senator GOLDWATER. I might say there is one approach to this that has always interested me. I have been trying to get my State to adopt it and I think we may. I think the State of California has it. Have an automatic law that declares that any person caught in the perpetration of a crime, with a weapon, whether that be an empty revolver, an empty gun, or a knife, that person is automatically given 5-10 years in jail on top of whatever sentence he would normally receive.

Of course, they will receive the proper treatment of the courts beforehand, but that is automatic. Believe me, I think it would put a man to task to say, "Do I really want to get in jail for 10 years just for going out there and acting like some old rumbum? I really don't have anything against that man."

To me, assassination involves hatred. I doubt that there are many people in our 213-odd million Americans who have ever experienced the real depths of hatred. You might say, "I don't like him."

I remember something Lincoln was supposed to have said one day in Springfield when he saw a man crossing the street. He said, "I hate that man." Yet a few moments later he said, "No, I don't know him well enough." So I can't believe that anybody, even out of his mind, would take the risk of having 10 more years in jail added on to whatever he might get for trying to assassinate some person regardless of what his public life is.

I don't know of any other automatic thing. There is no way to prohibit the ownership of weapons because a gun is just one thing. If you want to do it the quiet way, the Select Committee on Intelligence Operations opened up a whole can of worms with this matter of poisoning.

Senator HUMPHREY. I might add, there has been a great deal of publicity given to new ways and methods that many people didn't know about. This is part of the problem of what we call the advantages of our free society.

We don't want to lose those advantages, but I think we have to realize what we are dealing with. Everybody presumes that a person who wants to commit an act of violence or assassination really has not thought it all through. That is not true particularly. For many of them, of course, it is something that just happens very quickly.

When you have constantly reminded people of new ways of being able to do it, in a public way, don't think it doesn't have some effect.

All you've got to do as a public official is meet up with some of the mentally deranged that you do meet up with who are threatening you and you find out that they get some of these ideas very quickly; very, very quickly.

Senator MONTOKA. Thank you very much, gentlemen, for contributing so much to the inquiry of this committee.

Senator GOLDWATER. I don't know if I should tell you or not, but we know a substance now that you can either put on an insulated palm or in a glove, a hand of a glove and shake hands with a politician and within a matter of 30 minutes he talks very incoherently and bobs around like he has got a fix or something, and that is supposed to have been a secret weapon. We haven't come out with it yet.

Senator HUMPHREY. I think a lot of folks have apparently had that treatment.

[Laughter.]

STATEMENT OF HON. EDMUND S. MUSKIE, U.S. SENATOR FROM MAINE

Senator MONTOKA. With your further indulgence, we would like to call on Senator Muskie and Senator McGovern who are here now.

The subcommittee is very grateful that you two gentlemen have come before us and we certainly appreciate your counsel and advice and any suggestions that you might want to make with respect to the need to protect Presidential candidates.

Senator Muskie, would you present whatever you have by way of contribution to this hearing?

Senator MUSKIE. I can't believe there isn't any aspect that Senator Humphrey hasn't talked about, Mr. Chairman. I notice he has torn up his presentation. [Laughter.]

As a candidate, I probably was not as aware of the steps taken by the Secret Service and the experiences they encountered, as a member of my staff might have been.

So I tried to scratch my memory over the last 24 hours since I talked to you, Mr. Chairman, to determine whether or not I could offer anything worthy of your consideration in connection with this problem.

I think it might be helpful if I outlined just briefly the nature of the Secret Service protection that we received and I am sure this will be repetitive but maybe I might give it a little different perspective than has been given.

I have had the experience twice, of course, once as the Democratic nominee for Vice President in 1968 in that very explosive campaign to which Senator Humphrey has referred; second, in 1972 in the early primary period, which was a more limited exposure—regrettably,

from my point of view, and thanks to Senator McGovern's efforts. [Laughter.]

The Secret Service coverage really took three forms. One was physical protection. That included such diverse activities as coverage of the home, coverage of the office, examination of the automobiles, coverage of the airplane; coverage, in other words, in every way possible to ensure that access to the candidate is not permitted through those rather obvious opportunities.

Physical protection as well on the campaign trail. The Secret Service was interested in getting schedules as far in advance as possible, was interested in controlling travel arrangements completely, was interested, of course, in covering crowds and a candidate's exposure to crowds in every conceivable way.

So the physical protection is designed to limit exposure to the extent that can be done.

Second, was advance activity by the Secret Service. First of all, to check out schedules, crowds, places where the candidate would be seen and exposed, but also for information-gathering purposes; to learn whether or not hostile environments existed, whether hostile crowds might be expected to gather, whether the local, Federal, or State police authorities had any information as to possibly hostile citizens who might pose a threat.

Third, and least visible to the candidate, of course, was the intelligence-gathering. Insofar as candidates are concerned, this is pretty much limited to examining the candidate's own sources of information as to possible threats. The candidate's aides perhaps were the biggest source of that kind of intelligence. Information is gathered from the candidate's own office, his own exposure, people around him, to spot those direct initiatives taken by people who generate hate mail and other kinds of hostility that might erupt into some kind of physical threat.

That intelligence-gathering clearly is very important and increasingly important these days. I took the time in the last 24 hours to check with the head of my detail in 1972 to determine to what extent that kind of intelligence search developed any signs of possible threats.

I was told that at the outside there might have been 35 such possible threats which were deemed serious enough to investigate. This, again is in 1972. I do not have similar information with respect to 1968.

Of those 35, perhaps 2 or 3 were regarded as of sufficient seriousness for the agents actually to interview the persons involved.

In none of those two or three cases did further options seem necessary.

The further options are pretty limited: One, surveillance of the individuals involved in any situation where they might possibly come into contact with a candidate. Two, in the case of people suffering from mental disorders, the possibility of detention in accordance with State laws. Neither of those options was considered necessary in situations involving my activities in 1972.

To sum up, obviously the whole purpose is to limit exposure and to identify potential threats. I suspect that neither of these problems is as serious as it would be for a President in office or for the nominee of either party.

I have the feeling that many people who are stimulated to try this kind of thing are aiming at the office more than the individual, and that mere candidates for office may not generate as much of that kind of hatred or that kind of psychosis as would a President or an actual nominee.

CANDIDATES' ABILITY TO DECLINE PROTECTION

Senator MONTROYA. Would you suggest, Senator, that exposure be limited with respect to candidates as well?

Senator MUSKIE. I think candidates ought to accept this kind of protection. A candidate has got to use his common sense. In many senses planned crowds, especially the outside crowds, carry greater potential danger than the spontaneous exposure to crowds that candidates attempt to indulge in.

When a schedule is well publicized and crowd meeting places are identified, people attempting to resort to this kind of violence know where the candidate is going to be and when. Those are the places of maximum danger.

The maximum protection in that kind of situation would be to have all such meetings in a closed place and admission only by ticket, with tickets sold sufficiently in advance so that every purchaser could be checked out through the FBI files and other intelligence sources. That simply wouldn't work in the context of the campaign. So you can't have that kind of maximum protection.

The least dangerous crowds are those which are least planned, least advertised in advance and more in the nature of surprise gatherings and surprise actions by the candidate.

The airport fence crowd, of course, is a planned crowd. I am not talking about that kind of thing. But I remember when President Johnson used to campaign in 1964 he would love to just use the first intersection he came to, get on top of a car and start making a speech through a bullhorn. That kind of thing probably was not as much of a danger as his meeting the crowd at the place where the crowd was supposed to be, where the crowd gathering was planned and his speaking was planned.

So the spontaneous kind of thing isn't really that much of a danger. But I think the candidates can, by their own restraint, limit themselves much more than they do. I think the effect of the Secret Service coverage is to do that. I think that my own campaign schedules were better organized. I think the crowd events were better chosen. I think the places for crowd events were selected with better political effectiveness as well as consideration for protection.

So by mere fact that the Secret Service is there cranking in its inputs, its mission tends to give the campaign greater order and more effectiveness from both points of view.

I found it very useful. I found it very flexible. I found it very unobtrusive. They used great judgment and common sense. They didn't treat every crowd the same way.

In some places they would limit the number of entrances through which the crowd could be admitted. In other places, when crowds were more relaxed and obviously more friendly, they would relax their protective security or their protective screen.

So they used great judgment. I never found them obtrusive. I found them very helpful and I really think that they dealt with potentially exposive situations very well.

I ran into many of those in 1968 when we were visiting a lot of college campuses in those days. There were places of great tension. They were difficult to deal with. I know that the good judgment and the common sense of the Secret Service helped us many times in 1968 to avoid confrontations that could have led to some kind of violence, if not directed to me, then among people who didn't think well of each other.

So the Secret Service was most helpful then and again in 1972. That was the first year that candidates received Secret Service protection, as I recall.

Senator MONTROYA. That is right.

Senator MUSKIE. These are my random thoughts, Mr. Chairman. I don't know how helpful they are.

Senator MONTROYA. We have mandatory law on the statute books providing for protection of the President and Vice President.

With respect to candidates, it is optional.

In view of the fact that some of the candidates have turned down protection by the Secret Service at this early stage of their campaign and in light of what has happened in the last 3 weeks, what comment would you have on whether or not we should make the protection of all Presidential and Vice Presidential candidates mandatory?

Senator MUSKIE. It is a question of timing, I suppose. I can understand why candidates turn it down. It may be their feeling that the campaign and the candidate haven't yet achieved the kind of visibility that would attract this kind of potential violence. But that is a judgment we can also make collectively, it seems to me, and perhaps it ought to be made collectively rather than individually by the candidates.

It is a matter of judgment as to whether September 30, 1975, is too early. I think it may be. But when that date is chosen then I think all candidates ought to accept the coverage and I think it makes sense to make it mandatory.

I would say by the first of the year that it ought to be accepted by the candidates. I don't think they will find it a hinderance or a nuisance. It is really very helpful.

STATEMENT OF HON. GEORGE MCGOVERN, U.S. SENATOR FROM SOUTH DAKOTA

Senator MONTROYA. Senator McGovern, we appreciate your coming here also. If you will give us your statement, I will then ask the Senators to ask both of you some questions.

Senator MCGOVERN. Thank you, Mr. Chairman and members of the subcommittee.

There are just two or three observations I would like to make rather briefly.

First of all, I am very high on the Secret Service. I think they are a highly competent, dedicated, and capable group of public servants. As I think back over the months that they accompanied me in 1972, I can't think of any serious area where I would have any criticism to offer. I think they do their job well. They do it with

skill. And I would reinforce what Senator Humphrey was saying when I came into the room, that any Presidential candidate who is offered Secret Service protection ought to avail himself of that protection. He ought to do it not only for his safety, but for convenience in carrying out his campaign schedule.

There is no way, of course, that anyone can ever prove all of the things that the Secret Service does. I can only tell you that it is my own judgment that some of us are alive today because we had Secret Service protection.

The second thing I would like to say is that there is no way to end the very serious danger that Presidential candidates are in, particularly as you approach the closing weeks of the campaign, so long as they insist on plunging into crowds and working up and down the airport fences, doing the kind of thing that I have done and that other candidates have done.

That practice has to be curtailed and curtailed seriously. I disagreed with that judgment in 1972. But in all honesty, there are some very superficial reasons why candidates engage in that kind of daily handshaking that goes on from early morning until late at night.

The first reason they do is to give kind of a symbolic demonstration that they are close to the people.

A second reason they do it is to raise their own spirits. When you are under attack by your opposition and by editors and others and your spirits are down a little, there is no better tonic than to go out and shake hands with a lot of warm, smiling potential voters.

On top of this, if word gets out that you are in danger or some kind of incident occurs, then you have an additional reason to do it and that is to demonstrate that you are brave.

None of these are very good reasons. None of them have very much to do with the national interest. You can run a good campaign, you can be close to the people, you can discuss the issues, without the kind of endless plunging into crowds and working up and down fence rows at airports that all of us have done.

NEED FOR PROTECTEES TO MINGLE WITH CROWDS

That brings me to the third point that I would like to make today, which are some of the alternatives that ought to be considered. They may be beyond the purview of this subcommittee, but I would like to take advantage of this forum to suggest that there are activities that are more effective than this kind of crowd-plunging that I have referred to.

President Ford has said that he does this kind of thing in order to carry on a dialogue with the people. Dialogues are important. But you can do it in other ways. You can do it, for example, by community forums where the President or Presidential candidates would agree when they are out across the country to answer questions from live audiences in auditoriums. Of course, even in this instance, there is some danger, but the danger is less. It is difficult to smuggle a long gun into an auditorium and it is difficult to hit anybody on the platform with a hand gun.

The danger is much less than it is where you are out in a crowd where someone can stick a gun into your ribs and pull the trigger.

It doesn't take much of a marksman to kill you under those circumstances. But a community forum where the President would submit to questions from the voters, would not only be a good event, to be covered on television, radio, and in the press, but it would accomplish the President's stated objective—setting a stage for a dialogue with the people. More press conferences will accomplish the same purpose.

More televised and radio debates among the candidates also give the voter and the candidate a sense of dialogue. I am told, for example, that the last presidential campaign in France between Giscard d'Estaing and Mitterand was a model of what presidential campaigning ought to be, and that both of the candidates met repeatedly in widely televised debates in prime time where there was no danger of anybody being shot, but where there was every opportunity for the voters of France to hear where the candidates stood on the issues; not to see whether they were smiling when they shook hands, not to see the human interest pictures of patting people on the head and that sort of thing, but to see where they stood on the central issues that were of concern to the people.

I think that is a much better, more effective way to carry on a dialogue than to do it the way I and other candidates have tried in the past.

Thank you, Mr. Chairman.

Senator MONTROYA. Thank you very much, Senator.

Do the members of the subcommittee have any questions?

ELECTRONIC SCREENING

Senator BELLMON. Mr. Chairman, I would like to ask basically the same question I asked our other witnesses. Do either of you gentlemen consider the suggestion that the exposure of the President and perhaps the Presidential candidates be limited to circumstances where the kind of screening of the crowds might be possible, the same way airline passengers are screened?

Senator MUSKIE. You mean individually?

Senator BELLMON. Yes.

Senator MUSKIE. That is something like the proposal that I made earlier and rejected, to have admission to closed auditoriums by ticket. Your suggestion is another way to do it. I think that is unacceptable politically and I don't think it is really that necessary. I don't know that you would reduce all of the dangers that much, Senator.

And it would be time-consuming. I remember one occasion when we expected a hostile crowd and the Secret Service asked the cooperation of the local police to limit the entrances to an auditorium to I think two, so that they could visually examine everyone who came into the hall.

The result was that it took an inordinate amount of time, perhaps an hour or so. That procedure is comparable to the one you are suggesting. I can tell you that the political benefit from that meeting as far as I was concerned was zero. I would have done better staying home.

I just think that if you were to inspect audiences with electronic equipment on a routine basis, candidates would soon conclude there

is no point in having crowds of that kind and it would be better to go Senator McGovern's route, following his suggestions, than to go for crowds at all.

Senator MCGOVERN. I agree with that.

NEED FOR PROMPT AND SEVERE PUNISHMENT

Senator BELLMON. What about the suggestion that we consider changes in our law that would make punishment more prompt and severe for those who make an attempt on the life of a President or a Presidential candidate?

Senator MUSKIE. The deterrent effect of criminal penalties, of course, is always a question that we have to consider. I gather we are going to shortly in connection with a wide ranging revision of the criminal code.

I don't really think this gets at the problem we are talking about. We live in a time when there are these volatile elements at large in the country, some of them speaking for narrow causes; others for causes that are more general. I don't think you can suppress the emotions that are generated by such groups by any degree of penalty.

I think you are not going to eliminate the danger. Deterrence is important. I don't discard it, but I really think you have to get at the central problem of bringing order to this society by insuring that it responds to its people.

Part of that response has to be access to candidates. The question really is not cutting people off from candidates or from political leaders, but limiting the exposure in sensible ways that will maintain the contact without giving opportunity to the irrational people to vent their anger.

I don't think irrational people are particularly intimidated or inhibited by penalties of whatever sort.

Senator MCGOVERN. Senator Bellmon, I think to whatever extent we need to accelerate the process of justice in dealing with those who make an attempt on the life of a President or a Presidential candidate, the same argument prevails with the whole system of justice, the whole judicial process.

There is too long a period of delay in many cases. Perhaps it is because the courts are overloaded. Perhaps it is because they are handling certain cases that could be assigned to paralegal people.

But for whatever reason, I think we do need to accelerate the full judicial process while, of course, giving due consideration to our constitutional protection.

Senator MUSKIE. One of the real problems, may I say, Senator Bellmon—and it has been highlighted in connection with the two recent attempts on the life of the President—is to identify the sources of potential risk and then to evaluate them.

In the case of the most recent one, there is a feeling that the potential source, who turned out to be Mrs. Moore, was evaluated wrongly. Something further should have been done by those who investigated her than was done.

I suspect that with that experience behind us, the Secret Service is going to tighten up its evaluation procedures, and should. Even

then, you can't detain everybody who is suspect for some reason. Especially in this new day of treating mental disorders, that is, deinstitutionalizing, there are many, many people who have backgrounds of mental disorder who could be suspect and yet it isn't necessarily true that they all ought to be detained or that they all ought to be committed.

So there is a judgment factor to be applied to all of these cases.

Of the 35 cases the head of my detail identified for me today, I think a majority of them were people who had backgrounds of mental disorder of one kind or another.

More severe criminal penalties will not be the answer for those people. Just how you tighten up your intelligence evaluation to minimize even further the risk from those sources, I think is the challenge that the Secret Service now faces.

Senator McGOVERN. Mr. Chairman, you may have pursued this with the representatives of the Secret Service earlier. If not, I think it is very important to interrogate representatives of the Secret Service as to what additional authority, if any, they need in dealing with the local police and the FBI in making the final judgment as to who is a security risk and who isn't, as to what is a proper route and what isn't.

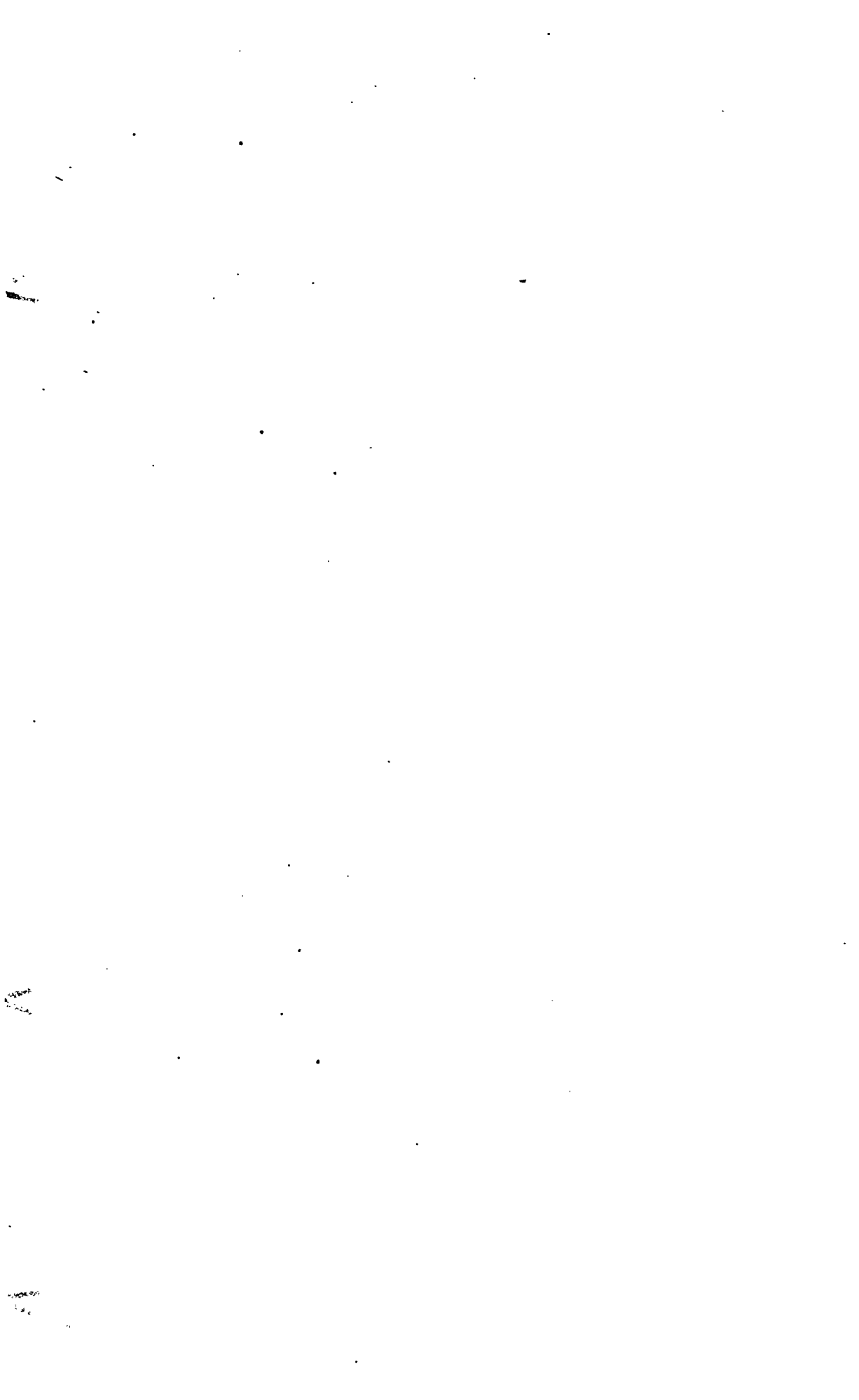
There appears to have been some vacuum, some no-man's land in this last case where the Secret Service had interrogated Mrs. Moore, but was advised by another agency that she was one of theirs and that she was all right.

Somebody has to make that final judgment and has to do it on a consistent basis. I personally would think that would be the responsibility and ought to be the authority of the Secret Service. I am not clear in instances of that kind who does have the superior authority.

Senator MONTROYA. I think the testimony has indicated that the Secret Service did make the ultimate judgment in this case.

Are there any further questions?

Thank you very much, gentlemen.



U.S. SECRET SERVICE

STATEMENTS OF:

H. STUART KNIGHT, DIRECTOR OF THE SECRET SERVICE
JAMES T. BURKE, ASSISTANT DIRECTOR (PROTECTIVE INTELLIGENCE)
FRANCIS A. LONG, ASSISTANT DIRECTOR FOR ADMINISTRATION, SECRET SERVICE

CONVERSATION BETWEEN SAN FRANCISCO POLICE AND SPECIAL AGENTS

Senator EAGLETON. Could I follow up with a brief question for Mr. Burke?

Senator MONTOYA. Yes; it is my plan to have all of these gentlemen available for questioning by the subcommittee.

Senator EAGLETON. I wanted to tidy up a bit of the record with Mr. Burke before we got onto the ATF and the other witnesses. Is that permissible?

Senator MONTOYA. Yes.

Senator EAGLETON. Mr. Burke, in your testimony this morning you mentioned a telephone call. Let me pose the nature of this question. You are here on the basis of hearsay. We realize that and what you testified to will be hearsay. We will let that go in with the entire line of interrogation.

You testified this morning as to a telephone call between Mr. O'Shea of the San Francisco Police Department and a Secret Service agent.

Let me pursue that. I am now addressing myself to events prior to the incident in front of the St. Francis Hotel on Monday, September 22. Were there any other calls from any other policemen of the San Francisco Police Department to a Secret Service agent relative to Mrs. Moore?

Mr. BURKE. There was another conversation between agents and Officer O'Sullivan.

Senator EAGLETON. What do your records show and based on your investigation, what did Officer O'Sullivan tell other Secret Service agents?

Mr. BURKE. May I consult?

Senator EAGLETON. Yes, please.

Mr. BURKE. Very frankly, Senator, to give explicit conversation between two people that I am not absolutely sure of, I think would be the wrong thing for me to do. I know there was a conversation. I know it was a follow-up conversation that the agents had in trying to find Mr. O'Shea. They had one conversation with Mr. O'Sullivan in trying to find Mr. O'Shea.

Senator EAGLETON. Mr. Burke, you are correct in the purest sense, that this evidence will not be admissible in court as being hearsay,

but you testified to hearsay earlier this morning between O'Shea and a Secret Service agent. You culled that out of your investigation report.

I just want to tidy up the report. You told us what O'Shea said. Let us repeat for the record. What did O'Shea tell your agent?

Mr. BURKE. I have five pages. Shall I go over it?

Senator EAGLETON. O'Shea, five pages worth?

Mr. BURKE. I have five pages of chronology.

Senator EAGLETON. No, but is that five pages of conversation between O'Shea and the agents?

Mr. BURKE. Very brief data, Senator, regarding a call.

CHRONOLOGY OF EVENTS

Senator EAGLETON. Tell me—I don't want to go 5 pages— what O'Shea told the agent insofar as Mrs. Moore is concerned, how to handle it. "She is one of ours; go easy; she is safe." I am making up words. Were there any words of that type between O'Shea and the agent?

Mr. BURKE. At 10 p.m. on September 20, one of our agents spoke with Officer O'Shea at his residence. O'Shea advised background information regarding Informant Moore and a possible visit to Stanford University on September 21, 1975 with a gun. O'Shea advised that Moore was to meet an ATF agent and suspect dealer regarding possible gun purchase on September 21, 1975. O'Shea advised he will contact Special Agent Haskell. In regard to the results of this meeting and the possible arrest of Moore regarding the possession of a gun, Special Agent Yauger then speaks with O'Shea and advises that he wants to be notified immediately of the results either way.

Approximately 10:10 p.m., that same date, Special Agent Yauger made a routine check with ID in Washington, D.C. That is our Intelligence Division headquarters where our list of names would be maintained.

Senator EAGLETON. This is not a conversation with O'Shea?

Mr. BURKE. No.

Senator EAGLETON. Mr. Burke, what I am trying to get at is what O'Shea told Yauger or any other Secret Service agent about Mrs. Moore insofar as how she would be handled: "She is safe; she is one of us; go easy; she is okay" Those are words I am just inventing. Were there words any way analogous to that by O'Shea to Yauger or any other agent?

Mr. BURKE. At the time the agents picked up Mrs. Moore for interview on the night before the President's second visit, they interviewed her in the residence and took her to the office at her request and she was reluctant to speak because she hadn't been in contact within the last few hours with the officer she was accustomed to working with, Mr. O'Shea.

The agents told her they would get Mr. O'Shea on the phone for her so she could consult with him. They did that. She spoke for a few minutes, seemed satisfied with the situation and then Agent Yauger said, "Let me speak with O'Shea." She misunderstood him and she hung up the phone. Not being satisfied with that, Agent Yauger immediately phones back to O'Shea. He asked the question,

"Is she going to speak?" or words to this effect. Again, I am repeating what I have been told. O'Shea answered, "Yes, she will speak with you."

Senator, I just spoke during the recess again with our agent. He said that he said words to the effect, "Do we have a problem with this subject?" The connotation our agent places upon this is does she represent any special problem to me?

The response he says he got back was, "No."

Senator EAGLETON. Is Agent Yauger here today?

Mr. BURKE. Agent Yauger is scheduled to testify here tomorrow, sir.

Senator EAGLETON. That tidies that up.

Insofar as your records are concerned, was there any other conversation by any other police officer, perhaps O'Sullivan with Yauger or any other Secret Service agent along these lines that we are inquiring about now, not about going to Palo Alto, but the nature of Mrs. Moore and how the Secret Service might or might not handle her?

Mr. BURKE. There was a conversation with Lieutenant White reported here. At 2:25 p.m.—we are talking about Sunday, the 21st.

Senator EAGLETON. Is this with Agent Yauger?

Mr. BURKE. Lieutenant Ray White, San Francisco Police Department, called Agent Haskell, who is Yauger's partner at Stanford University. He identified himself as O'Shea's supervisor. He was following up on the Secret Service attempts to contact O'Shea. Lieutenant White was advised of the current disposition of Sara Jane Moore. He advised he would initiate steps toward her immediate arrest on a gun charge.

San Francisco police then did arrest or pick up Sara Jane Moore at her residence at about 2:30 p.m.

Senator EAGLETON. We will question Agent Yauger tomorrow on any conversation with Lieutenant White. But insofar as your hasty perusal of the investigative report, there was no statement by White to Yauger about "She is one of us, go easy," or whatever, any description of Mrs. Moore's relationship, if any, with the San Francisco Police Department?

Mr. BURKE. Nothing indicated here, Senator. Might I mention that this is not an investigative report, this is merely a chronology of events given to us by our inspectors last night. They just got back from their trip to San Francisco to investigate this situation.

FEDERAL BUREAU OF INVESTIGATION

Senator EAGLETON. Let us move on to another agency, the FBI. Are there any statements by any members of the FBI to any Secret Service agent, Yauger, Haskell, and others, describing by an FBI agent the relationship of Mrs. Moore to the Bureau or advising the Secret Service on how to handle Mrs. Moore?

Mr. BURKE. I am looking now at an entry in the log, approximately 1 p.m. This is on Monday, September 22, 1975, the day of the alleged attempt; FBI Special Agent Worthington contacted the Secret Service command post regarding Moore.

She had called them earlier and said she had been arrested and he wanted confirmation from our people. The agent, Jacobs, advised yes, that she was arrested earlier. Jacobs asked if her call to Worthington was about a threat. Worthington said, "No, she wanted to advise me of her arrest."

Senator EAGLETON. Worthington is an FBI agent?

Mr. BURKE. That is my understanding.

Senator EAGLETON. This call took place between Yauger and what agent?

Mr. BURKE. It took place between Agent Worthington, and our command post. Whenever we travel, we have a command post. The agent's name is Jacobs. He is the Secret Service agent that happened to be assigned to the command post at that time.

Senator EAGLETON. Worthington initiated the call to the Secret Service command post?

Mr. BURKE. That is correct.

Senator EAGLETON. The call is as you described from your report?

Mr. BURKE. That is what I have.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

Senator EAGLETON. Finally, what calls, if any, were made by the agents of the ATF to Secret Service agents prior to the incident on Monday, September 22, dealing with Mrs. Moore and her relationship, if any, with the ATF?

Mr. BURKE. I am not aware of any calls by the ATF agents directly to the Secret Service prior to the incident that occurred on the 22d.

Senator EAGLETON. You know of no calls from the ATF to the Secret Service? Do you know of any calls from the Secret Service to the ATF prior to the incident on September 22?

Mr. BURKE. I am not aware of any calls.

Senator EAGLETON. Thank you very much.

Senator MONTROYA. Are there any further questions along this line?

THREATS AGAINST THE PRESIDENT

Mr. Knight, before you proceed any further, I understand that Director Rex Davis of the Bureau of Alcohol, Tobacco and Firearms will testify later this afternoon that an undercover ATF agent was offered \$25,000 to kill the President. This information was relayed to the Secret Service. Can you tell us what you know about this information, when it came, what you did about it?

Mr. KNIGHT. Yes, sir. I can. We subsequently interviewed the ATF officer, who gave us the source of his information. We evaluated the alleged assailant, found him not to be of protective interest and our case is now closed in that.

Senator MONTROYA. What did you do by way of investigation to justify your abandoning any further investigative efforts with respect to this individual?

Mr. KNIGHT. I should add, Senator, that initially the suspect was arrested, the evaluation was made and the prosecution was dropped.

Senator MONTROYA. What steps did you undertake to come to that final judgment?

Mr. BURKE. Mr. Chairman, their information came to our attention very early in the morning, about 2:00 or 2:30 in the morning. The ATF agent did bring it immediately to our attention. We assigned some agents from our St. Louis office to investigate the matter, working in cooperation with the U.S. attorney's office in St. Louis and the investigation was culminated within 24 hours or so of the President's visit to St. Louis. That is what made it very urgent. We did arrest the individual for making this threat. We had never heard of this individual before. So we immediately did some background on him, finding out that he had previous mental hospitalization and was reportedly a chronic alcoholic, according to the information that had been developed. The U.S. attorney decided that the case did not have prosecutive merit and the 871 violation, that is, title 18, section 871 of the United States Code, that we had arrested him under was dropped. The last information I had on it is that he was being hospitalized.

THREATS AGAINST THE PRESIDENT

Senator MONTROYA. Have you received information from other enforcement agencies with respect to threats against the President and if you have, have you dismissed the particular individual involved in those threats? Would you relate some of those instances, if you have any?

Mr. BURKE. We have received much information from other agencies, Mr. Chairman. We investigated in a number of instances. We have found prosecutive merit in a number of cases. I believe last year it is somewhere in the neighborhood of 60 individuals whom we caused the arrest of for threat violations. Others we have interviewed and they have been committed by family members or other systems and others we have evaluated and not taken any action.

Senator MONTROYA. What criteria do you resort to just dismissing these individuals once you have positive proof that they have made threats against the President?

Mr. BURKE. If we have positive proof that a U.S. attorney will back us in authorizing the prosecution, we don't dismiss. If we find out that it is what is sometimes called a veiled threat where the U.S. attorney will not authorize the prosecution, we have no recourse but either to release the individual or attempt to get family or relatives or some other source to commit the individual for mental observation.

Any case that has prosecutive merit, we are very happy to pursue to the ends of the judicial process.

GUIDELINES FOR REFERRING SUSPECTS TO THE SECRET SERVICE

Senator MONTROYA. I understand that there is a set of guidelines provided each of the law enforcement agencies as to the kind of people on which the Service would like to have information.

Mr. BURKE. That is correct, sir.

Senator MONTROYA. Would not these guidelines cover the women charged with the two recent assassination attempts?

Mr. BURKE. The guidelines would cover the original forwarding of information to us. The guidelines are necessarily broad, Mr. Chairman, so that we will get more information than we need and so

that we can be the deciding factor in whether we retain it and what we do with it.

That is why when the Warren Commission report came out, it is my understanding that we responded to their recommendation with some guidelines. They came back to us and indicated they were not broad enough. So we made our guidelines to other enforcement agencies necessarily very broad so that we would receive more information than we would retain.

As has been testified, I believe, we received some 200,000 pieces of information as a result of those guidelines.

We have to necessarily refine that down to those items that we believe are worthy of retention in our files.

I do not know whether Mrs. Moore or Miss Fromme would have been determined by someone else as meeting those broad guidelines. Had they been brought to our attention, we would have had to make a firm determination as to whether they were of protective interest: "Does she meet the criteria for retention in the files?"

Senator MONTROYA. Would you submit these guidelines for the record?

Mr. BURKE. Yes, sir. We will be happy to.

[The guidelines follow:]

LIAISON GUIDELINES

Subject to the direction of the Secretary of the Treasury, the United States Secret Service is charged by Title 18, U. S. Code, Section 3056, with the responsibility of protecting the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President, or other officer next in the order of succession to the office of President, and the Vice President-elect; protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach 16 years of age, unless such protection is declined; protect persons who are determined from time to time by the Secretary of the Treasury, after consultation with the Advisory Committee, as being major Presidential and Vice Presidential candidates who should receive such protection (unless the candidate has declined such protection); protect the person of a visiting head of a foreign state or foreign government and, at the direction of the President, other distinguished foreign visitors to the United States and official representatives of the United States performing special missions abroad (unless such persons decline protection), and protect the immediate family of the Vice President of the United States as provided by Public Law 93-305.

The Executive Protective Service under the direction of the Director, United States Secret Service, is charged by Title 3, U. S. Code, Sections 202-208, with protection of the Executive Mansion and the grounds in the District of Columbia; any building in which Presidential

offices are located; foreign diplomatic missions located in the metropolitan area of the District of Columbia; and foreign diplomatic missions located in such other areas in the United States, its territories and possessions, as the President, on a case-by-case basis, may direct.

The Secret Service also has the responsibility under Title 18, U.S. Code, Section 3056, of detecting and arresting any person committing any offense against the laws of the United States relating to coins, obligations, and securities of the United States and foreign governments. Effective liaison with other law enforcement and government agencies is necessary to insure we receive all information they may develop regarding any of our responsibilities. A Special Agent of the Liaison Division, U. S. Secret Service will maintain contact with your agency at a Headquarters level. Certain guidelines are set forth below which may assist you in determining our interests.

I. Protective Information

A. Information pertaining to a threat, plan, or attempt by an individual, a group, or an organization to physically harm, kidnap, or embarrass the persons protected by the Secret Service, or any other high government official.

B. Information pertaining to threats, incidents, or demonstrations against foreign diplomatic missions (embassies, chanceries, consulates).

C. Information pertaining to individuals, groups or organizations who have plotted, attempted, or carried out assassinations or kidnappings of senior officials of domestic or foreign governments.

D. Information concerning the use of bodily harm, assassination, or kidnapping as a political weapon. This should include training and techniques used to carry out the act.

E. Information pertaining to persons who insist upon personally contacting high government officials for redress of imaginary grievances, etc.

F. Information pertaining to any person who makes oral or written statements about high government officials in the following categories:

- (1) Threatening statements
- (2) Irrational statements
- (3) Abusive statements

G. Information concerning professional gate crashers.

H. Information pertaining to terrorists (individuals, groups) and their activities (bombings, etc.)

I. Information pertaining to the ownership or concealment by individuals or groups of caches of firearms, explosives, or other implements of war, when it is believed that their intended use is for other than legal purposes.

J. Information regarding anti-American or anti-U. S. Government demonstrations in the United States or overseas.

K. Information regarding civil disturbances.

INFORMATION pertaining to individuals or groups expressing legitimate criticism of, or political opposition to, the policies and decisions of government or government officials is not desired or being solicited by the Secret Service.

II. Counterfeiting and Forgery Information

A. Information regarding counterfeiting of U. S. or foreign obligations, i. e., currency, coins, stamps, bonds, U. S. Treasurer's checks, Treasury securities, Department of Agriculture Food Stamp coupons, etc.

B. Information relating to the forgery, alteration, and fraudulent negotiation of U. S. Treasurer's checks, U. S. Government bonds and Government Travel Requests (GTR's).

REPORTING OF INFORMATION

Information should be reported immediately by telephone to the United States Secret Service.

WARREN COMMISSION RECOMMENDATIONS

Senator MONTROYA. To what extent do you comply with the Warren Commission recommendations?

Mr. BURKE. To my knowledge, we accepted and implemented all of the recommendations of the Warren Commission. I bow to the Director concerning one possible exception.

Senator MONTROYA. Would you submit the recommendation of the Warren Commission for the record at this point and also the way in which you complied with each recommendation?

Mr. KNIGHT. Yes, sir. We shall.

[The information follows:]

IMPLEMENTATION OF THE RECOMMENDATIONS MADE BY THE PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF PRESIDENT KENNEDY

<u>WARREN COMMISSION</u> <u>RECOMMENDATION</u>	<u>IMPLEMENTATION</u>	
	<u>U. S. SECRET SERVICE</u>	<u>OTHER</u>
1. Establish a committee of Cabinet members to review the protective activities of the Secret Service and other Federal agencies that assist in safeguarding the President.	No action required	In 1964 the President named the Secretary of the Treasury, Attorney General, Director CIA, and the Special Assistant for National Security Affairs. Known as the Dillon Committee.
2. Above Committee study and recommend to the Executive and the Congress whether or not to relocate all or parts of Presidential protective responsibilities of the USSS to some other department or agency.	No action required	Since this recommendation was made, the protective responsibilities of the USSS have increased.
3. Secretary of the Treasury appoint a special assistant with the responsibility of supervising the USSS.	No action required	Treasury Department Order No. 147 (Revision 2), dtd August 10, 1965, established new Office of Special Assistant to the Secretary (For Enforcement)
4. USSS overhaul facilities devoted to advanced detection of potential threats against the President by: a) USSS develop more precise criteria defining potential threats which should be brought to USSS attention by other agencies.	Initial criteria developed by the USSS and issued to Federal law enforcement and intelligence agencies, and local law enforce-	

WARREN COMMISSION
RECOMMENDATION

IMPLEMENTATION
U. S. SECRET SERVICE OTHER

- b) USSS expedite plans to use data processing techniques.
- c) When criteria formulated, the USSS should enter into agreements with each Federal agency to insure receipt of such information.
5. USSS improve protective measures in planning and conducting Presidential motorcades and increase attention given to buildings along motorcade route.

ment agencies in 1964. USSS has and is continually seeking assistance of behavioral scientists to improve criteria for determining persons of potential dangerousness.

USSS recognized need and requested monies for this in the planning document submitted in August 1964. Comprehensive studies were done and upon delivery of the USSS computer in 1966, immediate capability for the retrieval of protective information was possible. USSS continues to evaluate, refine, improve and expand its ADP operations.

Protective information guidelines were issued to all Federal law enforcement and intelligence agencies, and local law enforcement agencies in 1964. Formal written agreements were entered into with the FBI, CIA, NSA, GSA, Immigration and Naturalization Service, and the Departments of State and Defense. At a minimum, the guidelines and the agreements are reviewed annually and updated as necessary.

USSS has and is continually expanding advance survey techniques. USSS Field Offices maintain pre-surveys of major motorcade routes and the overlooking buildings. The advance team surveys area to be visited, designates motorcade routes, emergency and relocation sites, and evacuation routes; conducts comprehensive building surveys; and arranges for outer perimeter security and posts.

WARREN COMMISSION
RECOMMENDATION

6. USSS continue to improve relationships with local police departments.

7. USSS be provided with sufficient personnel and adequate resources that are needed to fulfill its important mission.

8. Resources and cooperation of other Federal agencies assist the USSS as required and that there be closer association and liaison between the USSS and all Federal agencies.

IMPLEMENTATION
U. S. SECRET SERVICE OTHER

Increase in USSS personnel has facilitated ability, particularly through the USSS Field Offices to maintain continuous liaison with local law enforcement agencies throughout the country. USSS also aggressively pursues, conducts and participates in the training of local law enforcement officers in dignitary protection and protective concepts, techniques and styles. The USSS actively participates in the International Association of the Chiefs of Police and is heavily represented in State and local law enforcement associations throughout the United States.

USSS prepared a planning document setting forth a plan and the requirements for expanded protection of the President and the Vice President. This document was submitted to the Secretary of the Treasury on August 27, 1964. This plan was supported and a summary was sent to the Bureau of the Budget on August 31, 1964. The USSS budget and Special Agent personnel increased by \$6,374,000 and 222 agents from FY 63, pre-assassination, through FY 66, after installation of the initial data processing equipment.

The USSS receives support and assistance from other Federal agencies. PL 90-331, passed June 1968, among other things, provided authority for the Director of the USSS to request assistance from other Federal departments and agencies in the performance of its protective responsibilities. In addition, beginning in 1964,

WARREN COMMISSION
RECOMMENDATION

IMPLEMENTATION
U. S. SECRET SERVICE OTHER

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| 9. The President's physician always accompany him during his travels and occupy a position near the President. | USSS agents were assigned on a full time basis responsibility for maintaining personal liaison with all offices and agencies in the Executive, Judicial and Legislative Branches of the Government. The USSS presently maintains this personal liaison with over 100 Federal agencies and offices. | The military provides a physician to accompany the President on all protective movements. In motorcades, the physician rides in the USSS follow-up car. |
| 10. Congress adopt legislation which would make the assassination of the President and Vice President a Federal crime. | No action required | The Presidential Assassination, Kidnapping and Assault Act, passed August 28, 1965, made such actions a Federal crime. 18 USC 1751. |
| 11. Department of State exercise care in the return of defectors who have evidenced disloyalty, hostility or expressed desire to renounce their American citizenship, and when such persons returned, procedures be adopted for disseminating information to the intelligence agencies of the Government. | No action required | Implemented by the Department of State. |
| 12. Representatives of the bar, law enforcement associations and the news media establish ethical standards in presentation of information to the public so there will be no interference with pending investigations, court proceedings, or the right of individual to a fair trial. | Recommendation extends beyond the scope of the USSS. | This is a problem which continues to consistently confront all Federal, State and local law enforcement agencies throughout the country. |

WARREN COMMISSION RECOMMENDATIONS

Mr. KNIGHT. I should add there is one recommendation from the Warren Commission over which we have no control. As to whether or not it has been implemented is really a matter of judgment. It deals with the press and that sort of thing.

Senator MONTOYA. Of the 60 individuals who were arrested by the Secret Service last year for threats or possible threats against the President, how many prosecutions ensued?

Mr. BURKE. That 60 is a round figure, first of all, Mr. Chairman. I think it is 104 or 105 in the last 2 fiscal years.

I would frankly have to check the files to see. These were all arrests which went at least to the judicial process of arraignment and indictment. I will have to find out what the final dispositions were of those arrests. I can certainly find that out for the record.

Senator MONTOYA. Would you submit it for the record?

Mr. BURKE. Yes, sir, we will.

[The information follows:]

FISCAL YEAR 1975—PROTECTIVE INTELLIGENCE ARRESTS

Total reported arrests.....	233
Type of arrests:	
1. Violation 18 U.S.C. 871	85
2. Mental commitment.....	148
Disposition of Violation 18 U.S.C. 871:	
1. Convictions	34
2. Dismissal	20
3. No Bill.....	2
4. Nolle Prose	7
5. Acquittal	3
6. Pending judicial disposition as of June 30, 1975.....	19
	<hr/> 85

INFORMANT INFORMATION

Senator MONTOYA. Senator Bellmon?

Senator BELLMON. Thank you, Mr. Chairman.

To follow on with our Chairman's questions about the Alcohol, Tobacco and Firearms agent in the Midwestern State who was offered \$25,000 to kill the President, I believe another ATF special agent provided the Secret Service with information acquired from an informer relating to contact with a member of a militant organization.

Do you happen to know which militant organization that was?

Mr. BURKE. I would like to give the name of the organization in executive session, if I may. I can tell you something about the case, Senator. But since we are characterizing the organization as a militant organization, I would prefer to give that in executive session.

Senator BELLMON. The reason I asked the question, Mr. Davis goes on in his testimony to say that this subject was a twice convicted felon armed with three high-powered rifles and an automatic weapon. President Ford was on his way to Oklahoma the day before you went to California. I am curious if this instance was in any way connected with the President's appearance in our State?

Mr. BURKE. We presumed it to be and acted accordingly. We had the information that an individual of a very vague description, no firm name and address, who was known to an informant of the ATF

and—as near as I can recall the details—being in possession of automatic weapons, and carbines, and having a record of having previously possessed weapons was reportedly intent upon going to Oklahoma City in connection with the President's visit.

That is the information as I recall it. We did not have a name or address. We had a pseudonym, a street name, as we call them, and somewhat of a physical description. Working with ATF we did get to meet the informant. Our agents questioned the informant. We put lookouts all throughout the State with police agencies for this individual using what description that we had. Those lookouts remain in existence today because we have not located nor further identified this individual.

The investigation is an open investigation in the Secret Service and until we locate this man and evaluate him, he will remain on our lookout list. We are working closely with the ATF on this now to see if we can't get further identification.

Senator BELLMON. Is it just perhaps a coincidence that within the last few days an automobile blew up on a Kansas turnpike? Do you know if there is any connection here?

Mr. BURKE. The two situations occurred about the same time. We investigated both to see if there was some correlation between the two. Both the vehicle and the group in Oklahoma were members of the same organization so we presumed there may be some connection. That part of the investigation is continuing at the present time, also.

AUTHORITY FOR ARRESTING SUSPECTS

Senator BELLMON. Thank you very much. Now to get on to the California incident, some have seemed to charge the Secret Service with dereliction of duty in connection with the Fromme incident because she was not arrested because of the kind of clothes she was wearing.

It seems to me a little farfetched. Do you have any authority to arrest people who wear strange clothes?

Mr. KNIGHT. No, Senator, and having been a resident of that State for almost 5 years, I don't find her attire particularly bizarre.

Senator BELLMON. I won't press you to find out how you decided to arrest, but I am not inclined to criticize you for not going around picking up everyone who seems to depart a little bit from the norm. You, I think, could be in a lot worse trouble if you arrested people indiscriminately.

What if an individual has not committed a crime, has not threatened the President, but your agents believe that this person might be a threat or even a potential threat? Do you have the authority at this time to detain that person without any real, solid evidence?

Mr. KNIGHT. No; we cannot detain someone unless we have reasonable cause to believe that they have committed a crime. We can't arrest or detain on mere suspicion. We do have here in the District of Columbia commitment procedures which are very helpful to us. But that is, again, an isolated case, and does not pertain to the other 50 States in the Union.

AUTHORITY TO DETAIN SUSPECTS

Senator BELLMON. Do you feel your authority at the present time is adequate to meet your responsibilities or do you need more authority to detain suspects?

Mr. KNIGHT. That is a very key question, Senator. I would have to answer that from two standpoints. One is as the Director of the Secret Service in charge of this responsibility—if we had another tool where there was such a thing as preventive detention or temporary commitment or some such thing, we would feel quite comfortable with that and would not abuse it.

On the other hand, I have to speak on the other side as a citizen; I am not sure I would be very happy about it.

Senator BELLMON. You perhaps heard Senator Humphrey's testimony, I believe, that you felt in the absence of detention, perhaps the police officer or the Secret Service agent could be assigned to shadow—my word, not his—these suspects during the time that the President is in the vicinity.

Does this seem to be practical?

Mr. KNIGHT. Yes; we do do that on occasions.

ADDITIONAL STAFFING

Senator BELLMON. Are you adequately staffed to provide surveillance for all the people you feel need to be watched?

Mr. KNIGHT. Again, it is a matter of degree. We try to exercise that tactic only when we feel it is necessary and will pay off.

Senator BELLMON. I understand that when the Secret Service went to OMB for your budget request this year that you asked for 330 new positions; that they gave you 84.

It looks to me like maybe it is not Secret Service, but some expert in OMB who is deciding how many people you have to do these jobs with.

Mr. KNIGHT. I think I can ask Mr. Long, who is our Assistant Director for Administration, and knows the budget better than I do. Perhaps he can respond to that.

Mr. LONG. In February, a supplemental budget request for an additional 330 positions was transmitted to the Department of the Treasury.

I understand that request did arrive at OMB in March of this year. We have not been formally advised as to the ultimate disposition of the supplemental. We were informally told that they were going to allow us 84 of those positions.

Senator BELLMON. We have information today that OMB has finally signed off on the request for 150 additional agents plus 132 support positions. That is a total of 282 apparently getting close to what you requested.

Did you ask for others in addition to these or do you plan to ask for more?

Mr. LONG. The Congress approved 173 additional positions for the current fiscal year. That number was subtracted from our February request of 330, leaving a balance of 157. To that request for personnel we added additional requests to total the current 282 that has just been approved.

Senator BELLMON. So it sounds like they are getting close to approving what you want?

Mr. LONG. That is correct, Senator.

Senator BELLMON. I would assume that when this request from OMB comes up that it won't be necessary for this subcommittee to add additional personnel to this.

Mr. LONG. Not at this time.

Senator BELLMON. Will the Service come here for more money and more people if you find you need it? I think the worst thing we could have happen right now in this country would be to have another political assassination.

I think I am not known as one of the big spenders, but I don't think anyone would hesitate to give you whatever support you needed to meet your responsibility.

You feel right now this is all we need to do?

Mr. LONG. I would have to defer answering that question.

Mr. KNIGHT. Senator, I just can't say how excellently we feel this committee has treated the U.S. Secret Service. Every position and request that we have made, that we have been able to document and justify, I think has been treated with the greatest of respect and we have received great cooperation.

Senator BELLMON. We have heard from the former candidates repeatedly today that if someone wants to assassinate a candidate or President there is probably no sure way the Secret Service can keep it from happening.

This makes me wonder if there is any real point in adding on more people. Do you have a comment?

Mr. KNIGHT. Yes, sir. Also at the same time I respond to that I would like to expand on what the chairman has asked, vis-a-vis the 60 people that were arrested. I think that in order to be totally responsive to the committee, we should include there the additional 170 people that were committed to mental institutions during that same period of time as a result of coming to our attention, not by us necessarily, but by their friends, relatives, and family.

So we are talking now of approximately 230-plus people over the past year that have either been arrested or removed from the scene because of our actions.

The only thing I can answer to your question, Senator, is that we think we have enough men and women, and we think we are doing the job right. I think it is speculation as to what might occur were we not present. That is something I don't know the answer to.

ADDITIONAL LEGISLATION

Senator BELLMON. We asked about do you need more authority to do your job. Are there laws to provide penalties to punish those who interfere with a Secret Service agent?

Mr. KNIGHT. Yes, sir, if they interfere with a Federal officer in the performance of his official duties, that is a Federal violation.

Senator BELLMON. Are those laws adequate?

Mr. KNIGHT. Yes, sir, as far as I am concerned.

Senator BELLMON. Your agents always go as plainclothes people?

Mr. KNIGHT. That is correct.

Senator BELLMON. Is this advisable or should they go in uniform?

Mr. KNIGHT. No. We think they should remain in plainclothes because when we need uniformed officers, we receive assistance from the local police, the State police, and so forth.

Senator BELLMON. Would you care to volunteer your opinions as to whether or not you need additional funding or additional authority?

Mr. KNIGHT. An additional authority, we would like to see title 18, section 871 expanded. Right now that is the law which makes it a Federal crime to threaten the President and the Vice President. But it does not assist us in the event the threat is directed towards a member of the Vice President's family, whether it is directed towards a candidate or a nominee or a visiting foreign dignitary. It is one additional tool that we do not have protecting the latter categories of people.

Senator BELLMON. Mr. Chairman, I have no further questions. Thank you very much.

DETERMINATION OF PERSONS CONSIDERED DANGEROUS TO PROTECTEES

Senator MONTROYA. Mr. Knight, what disturbs me very much, is why the Secret Service made the judgment that the person charged with the San Francisco incident was not a threat.

Do you believe the judgment of your agents not to place Mrs. Moore under surveillance may have been tempered by the fact that she was an FBI and police informant?

Mr. KNIGHT. I think that certainly had to be a factor in their consideration of the overall evaluation; yes, sir.

Senator MONTROYA. Did you receive any communications from Mr. O'Shea that she was all right?

Mr. BURKE. Just as covered in the previous statement I have made, Mr. Chairman, that it is our understanding from the chronology we have and from our discussions with the agents that while they were getting ready to interview her in the office, they had a conversation in which they asked the inspector whether they had any problem and he said, "I don't see one," or words to that effect.

Senator MONTROYA. Who besides the agent there made or contributed to the judgment?

Mr. BURKE. The two agents that conducted the interview made this decision and made this judgment. No one else could do it.

Senator MONTROYA. Did they communicate the decision to the command post?

Mr. BURKE. They communicated the decision to the command post and they discussed it as soon as it was practicable with the senior man on the scene.

Senator MONTROYA. Was this on Sunday night?

Mr. BURKE. This was Sunday night; yes, sir.

Senator MONTROYA. Why did you not have Miss Fromme or Mrs. Moore in your intelligence protective files?

Mr. BURKE. Lynette Fromme had never been brought to the attention of the U.S. Secret Service by any enforcement agency or anyone else as being a person considered dangerous to the life of a protectee of this Service. That might seem like a very easy phrase, but with 213 million people in this country, we have to have somebody bring subjects to our attention if they don't accomplish this on their own.

We were certainly aware of the Manson family and had interviewed Mr. Manson, but no one had brought this young lady to our attention.

Senator MONTOYA. She was known to the Sacramento police.

Mr. BURKE. Yes, sir.

Senator MONTOYA. Why didn't they notice Miss Fromme in the crowd, especially when she was known to them?

Mr. BURKE. It was also known certainly to our men that these people were living in Sacramento, but the point being, Mr. Chairman, she had never exhibited a direction of interest towards anybody we protect. We knew that she was in the city as we know a lot of people who have violent tendencies were in the city.

Senator MONTOYA. Do you know whether any of your men saw Miss Fromme and recognized her?

Mr. BURKE. No; I do not believe they did.

Senator MONTOYA. Did the Sacramento police give you a list of names in which she might have been included?

Mr. BURKE. No, sir. They did not. We had many meetings with the Sacramento Police Department prior to the visit and people of interest to the Secret Service were discussed with them.

We reviewed the cases active in the district and there was an exchange of information on general intelligence in the area. Lynette Fromme's name was never brought up.

Senator MONTOYA. Mr. Knight, is it possible that the interview of your agent with Mrs. Moore first at her home and then later downtown could have been the stimulus for the idea to shoot the President?

Mr. KNIGHT. I think that is possible, Mr. Chairman. We might have been the triggering factor in that interview. But we find the interview just indispensable in making evaluations. We feel that we must continue to make these interviews. We have no way of knowing whether or not we did trigger it.

RESPONSE OF SECRET SERVICE TO TELEPHONE CALLS

Senator MONTOYA. Did Mrs. Moore make an attempt to contact the Secret Service on Monday morning?

Mr. KNIGHT. Yes, sir, she did.

Senator MONTOYA. Please relate the factual situation with respect to these calls.

Mr. KNIGHT. Fine. There was more than one call, Mr. Chairman.

Senator MONTOYA. How many?

Mr. KNIGHT. My recollection is three.

Mr. BURKE. Our understanding of this, and we have checked into it, as best we can verify it at this time, is she made three calls to the Secret Service sometime between the hours of 8 and 9:30. The first call reached our answering service and she says she just merely asked whether Agent Yauger or Haskell was there.

The answering service, of course, said, "They won't be in until 9 o'clock." That was a standard answer.

She called back later and spoke to a duty agent. In offices such as this, we have an agent on duty to answer the phone and listen to complaints on various violations and she asked again for the agents Haskell and Yauger.

This is the first call he was aware of. She showed no real interest. It was the kind of a call asking "Is Agent Yauger there?" "No, he is not here."

Senator MONTROYA. Did she identify herself?

Mr. BURKE. In one of these calls she identified herself but she didn't have a phone in her home. So she did not want a return call. That was asked, "Can we call you back?"

Senator MONTROYA. You mentioned three instances. So she must have identified herself in those three instances?

Mr. BURKE. She identified herself in at least one instance, as far as I am aware. The other calls were merely asking, "Are the agents there?" I know of one instance that she identified herself. She did not say return the call and she did not exhibit urgency in these calls.

The third call she made to our office was accepted by a female administrative employee in the office, the caller again asking whether Agent Haskell or Yauger was there.

Senator MONTROYA. Were those individuals who answered her call aware that she had been under investigation the night before?

Mr. BURKE. No.

Senator MONTROYA. Wouldn't it have been propitious for you to inform those who might be manning the telephone that they be informed about the interview the night before in case such a person would call?

CALLS TO SAN FRANCISCO POLICE DEPARTMENT AND FEDERAL BUREAU OF INVESTIGATION

Mr. BURKE. Of course the answer is "Yes," Mr. Chairman. I might just relate the fact that the interview was concluded at midnight, at which time the command post, which is in a different area, was notified of Mrs. Moore.

That was where attention was being given to protective matters during the visit period. The duty agent in question was manning the office where we were primarily concerned with handling the criminal calls that would be coming into our district.

I might say that we do understand that the lady made calls to the San Francisco Police Department and the FBI at that same time, seeking out someone in each office.

Senator MONTROYA. Were you subsequently informed by the San Francisco Police Department that she had been calling that morning also?

Mr. BURKE. It is my recollection we learned after the incident of the two calls to the other departments. We were not informed prior to the incident that occurred, but in our subsequent investigation we found this out.

Senator MONTROYA. What is your feeling if she had actually contacted the agents to whom she desired to talk? Do you think that this incident would have been avoided?

Mr. BURKE. I would hope so, Mr. Chairman. I would hope it would have been. We did ask the question of the agents as to what they thought changed her attitude between midnight and the time of the situation that occurred the next day.

Of course they asked the question of the lady after the incident, and the answer was she didn't know. Perhaps if they did see her on the 22d and had noticed a difference in attitude they would have taken some action. I think it is something we can't predict as to what would have happened.

Senator MONTROYA. When did the Secret Service—meaning those who were in charge of surveillance—actually get this information that Mrs. Moore had called three times on Monday morning?

Mr. BURKE. After the alleged attempted assassination.

Senator MONTROYA. Wasn't that a little too late? Don't you have a process or a procedure in your organization where these calls should be relayed to the command post?

Mr. BURKE. Mr. Chairman, there was no indication in those calls that there was anything wrong. We get many, many calls in our field office from citizens. There were no indications in those calls from the woman that this was anything urgent, that this was anything that should be handled immediately.

Senator MONTROYA. But this woman identified herself as Mrs. Moore, you state, and she had been interviewed by the Secret Service the night before.

Mr. BURKE. That is correct.

Senator MONTROYA. Wasn't there anybody in the Secret Service office might have been very curious about the nature of the call?

Mr. BURKE. Not from the way it was received, Mr. Chairman. We had interviewed many people out there during those past few days. Of course we still had criminal activity going on.

This woman did not say she had been interviewed by these agents the night before and made no indication of why she was calling.

SURVEILLANCE OF DEFENDANT

Senator MONTROYA. Let me ask this question again. Since you posted a lookout for Mrs. Moore at Stanford University while the President was visiting, why was not this same precaution taken at the site of the Monday assassination attempt?

Mr. BURKE. Because we posted the lookout at a time when we had not yet—the Secret Service had not yet had a chance to confront this individual. We had received information that she was possibly of interest to us, but we did not have a chance to interview and evaluate her. So as a safeguard, we posted a lookout.

In the interim period, we did have the interview and made the evaluation, made a decision, and then we decided we had no need for a lookout.

Senator MONTROYA. Where were Agents Yauger and Haskell when the President departed the St. Francis Hotel on the 22d?

Mr. BURKE. Agent Yauger was assigned to a team that was roving in the immediate vicinity of the departure site. Agent Haskell was engaged in interviewing someone on an arrest situation that had occurred shortly before the President decided to depart.

Senator MONTROYA. Does it stand to reason that Agent Yauger might have seen Mrs. Moore as he was roving around there because he knew Mrs. Moore from the night before?

Mr. BURKE. Very possible, but he just didn't, Mr. Chairman.

REVIEW OF INVESTIGATIVE TECHNIQUES AND PROTECTIVE MEASURES

Senator MONTROYA. Have you changed your techniques and assumed new protective measures in light of the experiences in California?

Mr. BURKE. Not at this time, Mr. Chairman. We are reviewing the results of our internal investigation that we are conducting by our inspectors.

As previously testified at the departmental level, they are going to review on their own. We will be reviewing those inspections and we will make a determination at that time.

Senator MONTROYA. Am I right in assuming that your testimony clearly shows that you did not need any additional agents and additional agents would not have prevented what occurred?

Mr. BURKE. No, sir. If we needed additional agents in California, we had them available in other field offices and would have brought them there.

PROTECTION OF PRESIDENT IN PUBLIC SETTINGS

Senator MONTROYA. Have you any views on how much close physical contact can or should any President have with the public?

Mr. KNIGHT. Again, Mr. Chairman, I spoke from two different perspectives: the first as Director of the Secret Service.

Senator MONTROYA. That is the perspective that I am after.

Mr. KNIGHT. If we look at the White House and consider that as controlled an environment as can be obtained, naturally as a Director, I would like to see the President spend as much time there as he possibly can.

The other end of the spectrum is the totally uncontrolled situation, such as public sporting event or something of that type, and in between there are varying degrees of control. Of course, we would be most happy if not just the President, but any of the people for whom we are responsible for protecting were to remain in as controlled an environment as possible.

Senator MONTROYA. Are you pleased by the signs that the President is going to restrict his travel at least for the immediate future?

Mr. KNIGHT. Yes, sir.

Senator MONTROYA. Is there really any way for you to guarantee the President's safety in an open public setting?

Mr. KNIGHT. If you are saying guarantee to 100 percent certainty, the answer is "No."

Senator MONTROYA. The President, regardless of where he is, is subject to many dangers, is he not?

Mr. KNIGHT. That is absolutely correct.

Senator MONTROYA. What specifically can the President do when he travels to assist the Secret Service in carrying out its protective mission?

Mr. KNIGHT. We can do what we have done in the past, and what we hope will continue in the future; that is, a constant discussion with the President and the members of his staff about where he goes, when he goes and how he gets there.

I must say they have been most receptive to our suggestions and recommendations. As a matter of fact, if you will recall, it was on the suggestion of one of our agents that he did not cross the street

that morning in front of the St. Francis Hotel, which I think is his proof of the willingness to cooperate.

ADDITIONAL LEGISLATION

Senator MONTROYA. What can the Congress do to protect the President further by way of enacting additional laws?

Mr. KNIGHT. As I mentioned to Senator Bellmon, we would like very much to see section 871, title 18, extended to cover all of those whom we protect. It is really not within my purview when I suggested a political question as to whether or not you should consider giving the Secret Service perhaps some special detaining power.

Senator MONTROYA. Have you ever analyzed whether or not having your agents in uniform would act as a deterrent?

Mr. KNIGHT. Yes, we have, sir. The uniformed officers which we utilize, as I indicated earlier, come from the State and local police who give us all the assistance they possibly can.

INTELLIGENCE DATA

Senator MONTROYA. In your list, not of the 300, but the other list where you have approximately 39,000, are you including people who belong to organizations for strictly political reasons?

Mr. BURKE. Absolutely not, Mr. Chairman.

Senator MONTROYA. What is your criteria for including these people on the list?

Mr. BURKE. The various things that we have discussed, but mainly that they show a direction of interest that poses some danger or potential danger to somebody we protect.

Senator MONTROYA. We have not mentioned the FBI in this picture too much, but I take it that you receive a lot of information from the FBI?

Mr. BURKE. Yes, sir. We get what might be termed the bulk of our intelligence data from the FBI. We have received excellent cooperation from them.

Senator MONTROYA. Are you satisfied that you are receiving as much information as will enable you to do your job properly?

Mr. BURKE. Yes, sir, we are. We feel satisfied. We welcome the fact that these agencies send us more than they think we need and let us select the items we should retain.

Senator MONTROYA. Do you ask the FBI to cooperate with you in the protective measures which you undertake out in the field?

Mr. BURKE. Yes, sir, to the extent of providing us with intelligence and any other assistance we seek. We have a formal agreement between the Director of the Secret Service and the Director of the FBI.

RESPONSE OF SECRET SERVICE TO TELEPHONE CALLS

Senator MONTROYA. Why was it necessary to resort or depend upon an answering service when the President was in town on this particular morning and also the evening?

Mr. BURKE. When the President travels or when the Vice President travels, we have what we call a command post. The command post would be situated in the proximity to the party, the Presidential party.

That is 24 hours a day; it is manned by technicians and senior special agents who make protective decisions.

We still have a field office that has to function for the normal criminal endeavors of the Service, as you are aware.

Senator MONTROYA. But apparently that field office was relying on an answering service?

Mr. BURKE. Yes, sir, that is the practice we have because we have the 24-hour-a-day command post in operation in the same area. That is where all intelligence units and all other cooperating agencies would channel all information pertaining to the protection.

Senator MONTROYA. Suppose somebody wanted to inform the Secret Service that someone was going to shoot the President. Wouldn't he call the Secret Service Office?

Mr. BURKE. Yes. The instructions for the Secret Service office would be to immediately refer the call to the command post. Had this individual called our answering service indicated that he wanted to speak to someone about protective matters, the answering service, I am quite sure, would have referred the call to the command post.

The call that went to the answering service is merely as I understand it a call asking whether Agent Yaeger was there; or, "Is Agent Haskell there," and the answering service says "No one will be in until 9 o'clock, thank you;" and they hang up.

Senator MONTROYA. Is it the feeling of any of you that there should be some definitive law passed to develop a better line of coordination between the Secret Service, the other enforcement agencies of the Government, including the FBI and the State and local police departments?

Mr. KNIGHT. I don't feel that that is a necessary action, Senator. We are perfectly satisfied with the cooperation we have now.

Senator MONTROYA. What options did you have available after interviewing Mrs. Moore and ascertaining that she did have a gun and she had been under suspicion or surveillance before you interviewed her?

Mr. KNIGHT. I am not sure I understand the question, Senator.

Senator MONTROYA. Mrs. Moore was under surveillance, or there was a lookout, I should say, at Stanford University for her.

Mr. KNIGHT. Correct.

Senator MONTROYA. You were aware of that procedure?

Mr. KNIGHT. Yes, sir.

Senator MONTROYA. Then subsequently your agents interviewed her?

Mr. KNIGHT. Correct.

Senator MONTROYA. And ascertained that she did have a gun?

Mr. KNIGHT. That she had been carrying a gun in the past but was not in possession of a gun at that time.

Senator MONTROYA. Wasn't she arrested for possession of the gun?

Mr. KNIGHT. On the day prior, yes, but the gun was removed from her presence.

Senator MONTROYA. I understand that. But what options did you have in light of that situation?

Mr. KNIGHT. The options were to arrest her.

Senator MONTROYA. I am speaking of what options did the two agents have after knowing all of these things about Mrs. Moore.

BACKGROUND INVESTIGATION

Mr. KNIGHT. To make a decision of whether or not she was of interest to us in the first case under which we would have probably put her under surveillance. Or if their decision was she was not of interest to us, to close the case, which is what they did.

Excuse me, I should correct the record. We did not close the case because there was a background investigation ordered and that would have ensued.

Senator MONTROYA. Tell us about this background investigation. Give me an amplification of what it means.

Mr. BURKE. I will go through the guidelines of the background investigation, not touching on this investigation. It is by a prescribed form. It is one of our standard forms.

Senator MONTROYA. Will you insert that in the record after you allude to it?

Mr. BURKE. Yes, Mr. Chairman.

It has a file number, various data identifying its source at the top, the name of the subject, the address, whether we deem it worthy of quarterly investigations, which is another term for our list of 300. It has a synopsis of what occurred, an introduction as to what brought this matter to our attention and the next subheading covering the identity and background of the subject, name, alias, current address, home address, employment, date and place of birth, race, complexion, sex, height, hair, eyes, scars and marks, photo and date, any prior confinement, social security number, if available, FBI criminal number, VA claim number, military driver's serial number, driver's license number, or any other identifying data that would help us locate this person if they become a fugitive and we were looking for them.

Any indication of what any Secret Service judicial action would be taken, a complete review of any mental history of the subject, including outpatient treatment, name of institutions if confined, dates, diagnosis, prognosis, doctor's opinion of the degree of danger, history of escapes and elopements, if the subject has received no mental treatment but is mentally ill in the opinion of the family, neighbors, police or interviewing agent. This should be reported. The details of how the information in this section was obtained, such as persons interviewed, dates of interview should be reported in this category.

Criminal history is the next heading. A summary of the subject's criminal record, whether particular attention to crimes of violence and threats against others. Minor arrests need not be itemized in this report, if in the judgment of the agent they wouldn't benefit the case.

Education and training is the next subject; education, especially the highest grade, degree, place and date, ability, skills, whether they have access to firearms, explosives, whether they have access to typewriters or know how to type, addictions and deviations, anything that would be beneficial is determined as to addictions or deviations from what might be considered normal behavior.

Marital status, a complete family background that can be developed as to relatives that might be contacted if we subsequently want to locate this individual, any organizational affiliations, all groups or associations with which the subject is associated, the degree of participa-

tion with particular attention to militant groups that might be a problem to us.

The category of citizenship includes information about any naturalization, including port of entry, dates of entry, naturalization information, anything about renunciation of citizenship, defection, if that is applicable; military service record, the branch, type of discharge, rank, dates of service.

Senator MONTROYA. Do you have much further to go?

Mr. BURKE. Yes, sir.

BACKGROUND INVESTIGATIONS GUIDELINES FORM

Senator MONTROYA. Why don't you then include it in the record? I think we have an indication of the type of information it contains.

Mr. BURKE. Yes, sir.

[The information follows:]

BACKGROUND INVESTIGATIONS GUIDELINES
DEPARTMENT OF THE TREASURY
UNITED STATES SECRET SERVICE

ORIGIN **Intelligence Div.** OFFICE **New York** CASE NO. **CO-2-50,000**

TYPE OF CASE Intelligence		STATUS Closed	TITLE OR CAPTION Name of Subject (Subject's full name or "Unknown Subject")	
INVESTIGATION MADE AT New York, New York		PERIOD COVERED 1/1/67 - 1/7/67	Present Whereabouts (Complete address, including zip code)	
INVESTIGATION MADE BY SA(s) Investigating Case		Quarterly Investigations (Always answer either "Yes" or "No")		
DETAILS				
<u>SYNOPSIS</u>				
A brief and concise summary of the information contained in this report.				
(A) INTRODUCTION:				
Refer to last report or describe origin if there are no prior reports.				
(B) IDENTITY AND BACKGROUND OF SUBJECT:				
Name : Subject's full name as in caption				
Alias : Aliases used by subject, or "None"				
Current Address : Same as captioned address				
Home Address : Address which would be considered subject's permanent residence				
Employment : Type of work and name and address of place of employment, or "Unemployed" or "Unknown"				
Place of Birth : If known; otherwise, enter "Unknown"				
Date of Birth : If known; otherwise, enter "Unknown"				
Race : "White", "Negro", "Asian", "Latin" or "Unknown"				
Complexion : "Light", "Medium", "Dark", or "Unknown"				
Sex : If known; otherwise, enter "Unknown"				
Height : If known; otherwise, enter "Unknown"				
DISTRIBUTION Intel. Div. New York	COPIES Orig. 1 cc	REPORT MADE BY (Signature of Investigating Agent)		DATE ()
		SPECIAL AGENT (Typed Name)		
		APPROVED (Signature of SAIC)		DATE ()
		SPECIAL AGENT IN CHARGE (Typed Name)		()

MEMORANDUM REPORT

(CONTINUE ON PLAIN PAPER)

SS 1588 (06-72ER)

Hair : If known; otherwise, enter "Unknown"
Eyes : If known; otherwise, enter "Unknown"
Scars and Marks : Description of marks or "None" or "Unknown"
Photo and Date : "No" or "Yes" and date photo was taken
Prior Confinement : "Mental" and/or "Penal" or "None" or "Unknown"
Social Security No. : Enter "Unknown" if the numbers have not been
FBI Criminal No. : obtained yet; enter "None" if it is established
VA Claim No. : that subject does not have a certain number.
Military Serial No. : As the "Unknown" factors are determined, they
Drivers License No. : should be reported.
Other Identifying No.:

Secret Service Judicial Action: All judicial action, including arrests and commitments, taken by or at the request of this Service.

Mental History: Complete mental history, including outpatient treatment, names of institutions if confined, dates, diagnosis, prognosis, doctor's opinion of degree of danger, and history of escapes and elopements. If subject has received no mental treatment but is mentally ill in the opinion of family, neighbors, police or interviewing agent, this should be reported. The details of how the information in this section was obtained, such as persons interviewed and dates of interview, should be reported in "Other Investigation".

Criminal History: Summary of subject's criminal record, with particular attention to crimes of violence and threats against others. Minor arrests need not be itemized, but a summary should be included indicating dates of subject's first and last arrests and the general types of arrests, such as drunk, disorderly conduct, vagrancy, theft, etc.

Education and Training: Summary of subject's education, especially highest grade or degree, place and date; ability with and access to firearms, explosives, typewriter. List skills of protective interest.

Addictions and Deviations: Include information concerning use of alcohol, narcotics and any sexual deviation.

Marital Status and Family History: Marital status and information including mental history of the family.

Organizational Affiliations: All groups and organizations with which subject is associated, and degree of participation, with particular attention to subversive or militant groups.

Citizenship: Information about naturalization, including port of entry and dates of entry and naturalization; information about renunciation of citizenship or defection if applicable.

Military Service Record: Branch, type of discharge, rank, dates of service, disciplinary record.

(C) INTERVIEW WITH SUBJECT:

When and where interviewed, persons present during interview and pertinent circumstances or occurrences associated with the interview; whether or not property was taken from subject.

Precise summary of subject's complaints, requests, obsessions, hallucinations, delusions, attitudes, desires, and intentions toward persons we protect.

Information regarding procurement of handwriting, handprinting, typewriting, or explanation of their absence.

If subject was not interviewed, give explanation.

(D) OTHER INVESTIGATION:

Report all investigative activities and inquiries not reported elsewhere in this report. The details of obtaining information should be reported here, such as persons contacted and dates, and reference may be made to proper sub-heading of "Identity and Background of Subject" to avoid repeating the information obtained.

(E) EVALUATION:

Evaluate the degree of danger subject presents to those we protect. Describe any anticipated undesirable conduct. State whether or not SS Form 1609 has been filed.

(F) DISPOSITION:

Describe follow-up action being taken. (Foreign referrals will be made by Intelligence Division only.)

Refer to other reports, forms, or exhibits that have been executed and/or enclosed with this report.

ELECTRONIC SCREENING DEVICE

Senator MONTROYA. Thank you.

Senator Bellmon, do you have any questions?

Senator BELLMON. Thank you, Mr. Chairman.

I would like to ask our two witnesses and perhaps Secretary Macdonald for their comments, if any, about whether or not it is practical to use any kind of electronic surveillance in dealing with the public appearances of candidates for President or Vice President. We all know what was happening with airplanes, hijacking, and we all know what an inconvenience it is to be electronically screened before we board the airplane, but the system does seem to be working.

We have checked with the FAA and we find that one of those screening devices can screen 1,800 people in an hour, that they are fairly easy to transport, they are fairly inexpensive.

Has the Service looked into this possibility at all?

Mr. KNIGHT. Yes, sir. We have looked into it quite extensively. You heard earlier, I think, several of the Senators indicated their thoughts on the matter.

Senator BELLMON. All negative.

Mr. KNIGHT. Yes, sir. We join them in that because we don't feel that the degree of sophistication has yet reached the point where there would be, what I might term more good than bad, because the false alarm rate is of such a nature that it would just not be practical at this time.

Senator BELLMON. Do you decline to use them because you feel that the state of development is not adequately sophisticated?

Mr. KNIGHT. Yes, sir.

Senator BELLMON. If you had devices that could do a thorough job of screening in a timely way, would this incline you to change your opinion?

Mr. KNIGHT. Absolutely; yes, sir.

Senator BELLMON. What kind of screening system do you feel would be necessary in light of costs, or speed? What is it you are looking for?

Mr. KNIGHT. Of course, they would first have to be portable, obviously. Then I guess the real problem is to differentiate between a mass of metal which may be in the shape of a firearm and a mass of metal which may be in the shape of keys or lighters. Even my badge sets off the alarm when I go on airplanes.

So that is the problem, to differentiate between critical masses of metal. We have not reached that state yet where we feel confident with it. I think if we relied on that and set it to a point where it would not give us a false alarm rate, I think we would be enjoying a false sense of euphoria because I am confident that it would miss many things then, also.

PUBLIC APPEARANCES OF PROTECTEES

Senator BELLMON. Do you feel that Congress perhaps should take action so that candidates or the President make their public appearances in circumstances where the Secret Service can provide better security?

Mr. KNIGHT. We would welcome any support of that nature; yes.

Senator BELLMON. Could you give us guidance as to what kind of legislation we might need? I am not asking you for an answer now. But the problem is I think most candidates feel compelled to show their courage and desire to mix and mingle. It might be we need to legislate in the area to give you some authority to say no when you feel like you need to say no.

Mr. KNIGHT. Yes, sir. I do have one thought on that and that was your proposition to the preceding witnesses about making protection of candidates mandatory.

I would just suggest to you that we already have difficult tasks and if we were forced upon an individual who did not want us, I think that would make it even more difficult.

Senator BELLMON. So you prefer to give the protectee that leeway?

Mr. KNIGHT. Yes, sir. If we were not wanted, I think it would be a very difficult task to perform.

Senator BELLMON. What about in connection with the foreign dignitaries who will be coming here next year in the Bicentennial?

Mr. KNIGHT. They also have the option to decline.

Senator BELLMON. You want that to remain?

Mr. KNIGHT. Yes.

Senator BELLMON. Are you prepared, so far as personnel and your authority is concerned, to do your job so far as protecting these foreign visitors?

Mr. KNIGHT. On the assumption that this subcommittee will look favorably upon the pending supplemental which is what we are talking about in terms of the foreign dignitaries, yes, sir.

INTERVIEW TECHNIQUE

Senator BELLMON. Just one final line of questioning. I am not trying to be critical. Perhaps you can't even answer the question. It appears something may have gone wrong in California with the system.

Do you feel that the interview technique failed this time? Obviously, they didn't get the result you wanted. If it did, is there anything we can help you with to make it less likely to fail in the future?

Mr. KNIGHT. No; I am not sure it did fail, given what we currently feel are the important items. That is where we have to concentrate our inspection. Are we looking in the right places for the right things?

I think our review of this instance will give us some guidance in that. I hope that the current study that is going on by the consulting firm will give us some guidance in that. We are striving for that all the time.

GUN CONTROL

Senator BELLMON. What I thought you might consider here is perhaps endorsing or talking about the President's gun control law. He has recommended a law that would more or less outlaw the easy purchase of handguns.

I understand that on Sunday when you disarmed Sara Jane Moore, you knew she had the capability of buying another gun because she was in undercover work, but you didn't keep her from it and it was very easy for her to go out and get another handgun.

If we had something like the President recommended, I don't believe she could have done that.

Mr. MACDONALD. That is true. The President's recommended legislation provides for a waiting period before a gun can be purchased as do several other proposed bills that are before Congress now.

Senator BELLMON. What is the waiting period?

Mr. MACDONALD. It is 14 days.

Senator BELLMON. Does the Secret Service feel like this kind of a law is in the national interest?

Mr. KNIGHT. Senator Bellmon, I would be in favor of any law that would keep the handguns out of the hands of the criminals. I am not sure I have the answer to that ideal situation.

IDENTIFICATION OF A POTENTIAL THREAT

Senator BELLMON. Do you have any comment, Mr. Macdonald?

Mr. MACDONALD. No; I think that is very appropriate. It is almost as difficult to figure out as the identification of a potential threat.

Senator BELLMON. I think we have to realize that the country has an extremely serious problem now in the fact that political assassinations seem to be sort of a growing tendency here and something is going to have to be done to help ensure the safety of our national leaders.

Mr. KNIGHT. As was alluded to earlier, I think there is a repeat syndrome. We in the Secret Service are very aware of that, that one act may engender another

If I may be permitted an observation, there have been questions about how the press has handled this. I think that has been well covered. But there is one observation I would like to make; that is, I think when the press speculates about the types of techniques that the Secret Service employs and when they speculate as to whether or not the President is wearing a bullet proof vest, I think that serves no useful purpose. I would really ask them not to engage in that speculation.

Senator BELLMON. One final question: The President has been in California several times in the last 12 months.

Mr. KNIGHT. Yes, sir.

Senator BELLMON. I won't speculate as to why, but the fact is he has been there. Mrs. Moore probably has been there the whole time.

Mr. KNIGHT. She has been a long-time resident of the city of San Francisco.

Senator BELLMON. Did the FBI notify the Secret Service before this last trip of her presence in the city?

Mr. KNIGHT. No one brought her to our attention until the day before the visit to San Francisco.

Senator BELLMON. Was there any incident that caused her to be identified during the last visit that would cause her to escape your attention in the earlier trips?

Mr. KNIGHT. Not that I know of.

Senator BELLMON. It was only a coincidence. That is all, Mr. Chairman.

Senator MONTOYA. Thank you very much, gentlemen. We may need you tomorrow when we interrogate the Secret Service agents. I would appreciate it very much if you would stand by tomorrow.

Mr. KNIGHT. We would be happy to.

Senator MONTROYA You will be excused for this afternoon. Now I will call Mr. James B. Adams, Deputy Associate Director of the Federal Bureau of Investigation.

DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

**STATEMENT OF JAMES B. ADAMS, DEPUTY ASSOCIATE DIRECTOR
ACCOMPANIED BY:**

**RICHARD GALLAGHER, ASSISTANT DIRECTOR IN CHARGE OF
THE GENERAL INVESTIGATIVE DIVISION
JOHN HOTIS, OFFICE OF LEGAL COUNSEL
PAUL NUGENT, SPECIAL AGENT-SUPERVISOR, DOMESTIC IN-
TELLIGENCE DIVISION**

INTRODUCTION OF ASSOCIATES

Senator MONTROYA. Mr. Adams, will you please identify your associates?

Mr. ADAMS. On my right is Richard Gallagher, Assistant Director in Charge of the General Investigative Division; at the right rear is John Hotis of the Office of Legal Counsel. On my left rear, Paul Nugent, of the Domestic Intelligence Division, Special Agent-Supervisor.

Senator MONTROYA. You may proceed with your statement, Mr. Adams.

Mr. ADAMS. Thank you.

**STATEMENT BY JAMES B. ADAMS, DEPUTY ASSOCIATE DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION**

Mr. Chairman, I welcome the opportunity to appear before this committee to discuss the role of the Federal Bureau of Investigation in matters involving the personal safety and security of our President.

Let me assure you that the FBI considers no area of its responsibilities to be more urgent or vital.

A close and harmonious relationship exists between the FBI and the Secret Service not only here in Washington but throughout the field services of both agencies.

That strong relationship has greatly enhanced the FBI's ability to promptly and efficiently discharge the important responsibilities we have in matters involving protection of the President. It includes daily liaison at the headquarters level.

The FBI's role is twofold. We have investigative responsibilities—carefully defined in a law enacted by the Congress in 1965; and we function also as a support agency—furnishing information and, whenever requested to do so, aid and assistance to the Secret Service.

The law to which I refer is the Presidential Assassination, Kidnapping, and Assault Statute. It is section 1751 of title 18 of the United States Code.

Under this statute the FBI is charged with investigating assaults, kidnappings, or assassinations—including conspiracies or attempts to kill or kidnap—any of the following national leaders: the President of the United States; the President-elect; the Vice President or, if there is no Vice President, the officer next in order of succession to the Presidency; the Vice President-elect; or any person who is acting as President under the Constitution and laws of the United States.

Within the past month, we have instituted three investigations under this statute—two in California and one in Florida.

I can assure you that each has received the highest priority attention at headquarters and in our field divisions.

Naturally, we notify the Secret Service at the very outset of every such investigation; and copies of our investigative reports are, of course, furnished to that agency.

The second area of our responsibilities—that of a support agency—is perhaps less well known, but certainly no less important. It involves a steady flow of information and other forms of assistance from the FBI to the Secret Service.

First is the information we provide the Secret Service regarding direct threats against the President. On more than 250 occasions in the past fiscal year, our agents received information alleging that persons—some identified by name, and some unknown—were planning or threatening acts of violence against the President.

In some instances, this information was developed by our agents during the course of criminal or security-type investigations. In others, it was volunteered to us—anonously or otherwise—by citizens.

In every instance, it was disseminated to the Secret Service, at both the headquarters and field levels, by the most expeditious means available.

Senator MONTROYA. May I ask a question at this point?

Mr. ADAMS. Yes, sir.

REFERRAL OF INFORMATION TO SECRET SERVICE

Senator MONTROYA. In those instances where your agents uncovered threats of violence to the President, did you just refer the information to the Secret Service, or did you indulge in further investigation to ascertain the exact nature of those threats?

Mr. ADAMS. Generally, if it is a threat which does not relate to a possible conspiracy or attempt, but merely as a threat against the President, we would refer that immediately to the Secret Service without any investigation.

When it falls into a gray area, where it might encompass one of our statutory jurisdictions such as attempt or conspiracy, then at that point we would immediately notify the Secret Service but we would round out the complaint to find out whether it should still be handled as a matter within our jurisdiction or a matter within the jurisdiction of the Secret Service.

In the discharge of its official duties, the FBI constantly encounters persons who possess a high potential toward violence—violence against institutions, violence against material objects, violence against individuals. To furnish information regarding all of these persons to

the Secret Service would hopelessly—and very unhelpfully—bog down Director Stuart Knight and his staff in an endless torrent of paper.

To preclude such an occurrence and to assure order and reason and logic in our dissemination policies, we maintain close liaison and open channels of communication with Secret Service personnel at all levels. This liaison and these discussions have led to various agreements between our two agencies over the years.

FBI-SECRET SERVICE AGREEMENT

The latest such agreement was signed by Director Clarence Kelley and the then-Director of Secret Service James Rowley in July 1973.

It provides that the FBI will inform the Secret Service of the identities of individuals or organizations coming to our attention "as knowingly and willfully advocating, abetting, advising, or teaching the duty, necessity, or propriety of overthrowing or destroying the Government of the United States, or the Government of any State, territory, or possession, or political subdivision therein, by force or violence, or by the assassination of any officer of any such government."

The July 1973 agreement further specifies that we will furnish the Secret Service information that we receive in these specific categories:

(1) Information concerning attempts, threats, or conspiracies to injure, kill, or kidnap persons protected by the Secret Service or other United States or foreign officials in this country or abroad.

(2) Information concerning attempts or threats to redress a grievance against any public official by illegal means or attempts personally to contact such officials for that purpose.

(3) Information concerning threatening, irrational, or abusive written or oral statements about U.S. Government or foreign officials.

(4) Information concerning civil disturbances, anti-U.S. demonstrations or incidents, or demonstrations against foreign diplomatic establishments.

(5) Information concerning illegal bombings or bomb-making; concealment of caches of firearms, explosives, or other implements of war; or other terrorist activity.

(6) Information concerning persons who defect or indicate a desire to defect from the United States and who demonstrate a propensity toward violence; strong or violent anti-U.S. sentiment; and/or irrational or suicidal behavior or other emotional instability.

(7) Information concerning persons who may be considered potentially dangerous to individuals protected by the Secret Service because of their background or activities, including emotional instability or participation in groups engaged in activities inimical to the United States.

In complying with this agreement during our investigations of matters involving civil disturbances, anti-U.S. demonstrations, bombing matters, and subversive organizations and individuals, we furnished more than 29,800 items to Secret Service at the headquarters level during the past fiscal year.

Our field offices also furnished the same items locally to Secret Service across the United States.

There are, of course, other forms of cooperation and support that we render Secret Service. For example, the services of the FBI Laboratory and the Fingerprint Identification Division are fully available to that agency.

The same is true of our computerized National Crime Information Center, which makes criminal history information, as well as data regarding wanted persons and stolen property, available instantaneously to criminal justice agencies.

Last month alone, NCIC's computers handled more than 36,000 transactions for the Secret Service.

In addition, more than 11,800 Secret Service name check requests were processed through our central files during fiscal 1975.

We also stand prepared to assign FBI personnel to assist the Secret Service in its mission of protecting our President whenever and wherever the need arises. Director Knight has been assured of this fact, and we have on occasions made FBI agents available to the Secret Service for protective functions.

The problems confronting the Secret Service in its protective mission have grown increasingly large and complex for a combination of reasons—reasons attuned to both the times and the society in which we live.

Ours not only is a prosperous society—a society abundant with worldly goods—but it also is the freest society in the history of mankind—a society whose citizens can and do expect to see and communicate with public officeholders, appointive and elected, including their President. Thus, the President is visible and available to a nation of constituents.

In addition, ours has become an increasingly permissive society; and coupled with that permissiveness has been a tendency toward non-involvement on the part of all too many Americans.

These are Americans who either don't see or don't care about dangerous trends of the times. At least, they don't react to them.

One such trend is violence. Both violence and acceptance of violence are growing in this country. In fact, violence is even becoming fashionable—at least as far for our entertainment media.

What effect does violence in motion pictures and television programs have on emotionally unstable or immature persons? Opinions vary, but I am confident it does take a toll and does influence at least some acts of violence. Every law enforcement agency has discovered imitative traits in certain individual acts of crime, particularly crimes of violence, including assassination attempts.

How many persons sufficiently violent to pose a threat to the President of the United States are walking the streets today? No one, truthfully, can know.

We do know that 429,000 persons were arrested for crimes of violence on the streets of America last year.

And experience tells us that approximately two-thirds of those 429,000 persons were recidivists. They had been arrested one or more times before, many of them having been prematurely turned loose on society, possibly on parole or probation, or possibly after serving a lenient term for a serious offense.

I was interested to read this month of a recent survey by the California Department of Justice which estimated that approximately

2,300 violent criminals are returned to the streets in that State each year, returned to the streets although they committed a violent crime against another person, and used a gun to do it.

People who are psychologically or emotionally or criminally bent or driven toward violence must be separated from society.

Those who can respond to corrective treatment should receive that treatment so they can resume their places one day in our society. The others should not be set free to claim additional victims on the streets.

Unknown pitfalls and unseen perils can never be eliminated from any of our lives. However, we can and we should employ every reasonable measure within our grasp to lessen the dangers and lower the risks that we do know exist.

Mr. Chairman, that finishes my prepared statement.

TRAVEL PLANS OF PRESIDENT

Senator MONTROYA. Mr. Adams, are your field agents alerted to the travel plans of the President and other protectees?

Mr. ADAMS. No, sir.

Senator MONTROYA. How can you contribute to the safety of the President if your agents are not made aware of his planned visits to the different geographical areas of this country?

Mr. ADAMS. Bearing in mind our responsibility, which is to provide a support function to the Secret Service, according to the agreement which has been drafted between the two agencies, our function is to provide them information which they desire, which would enable them to carry out their protective responsibilities.

So under this agreement, we disseminate all of the information that fits the criteria they desire to consider in determining whether an individual offers a potential threat.

When the President travels to a particular area of the country, the Secret Service normally contacts our field office in that area to update any request for information they might have. They also have the National Crime Information Center available to them as far as updated criminal histories on those individuals.

Our purpose basically is as an intelligence-gathering operation, to provide them information coming to our attention which would assist them in carrying out the actual protective role.

Senator MONTROYA. Do you have data processing systems in your organization which can extract information about certain individuals in a certain locality with respect to being potential threats to the President?

Mr. ADAMS. No, sir.

NATIONAL CRIME INFORMATION CENTER COMPUTER

Senator MONTROYA. Did you have Mrs. Moore included in the National Crime Information Center computer of the FBI?

Mr. ADAMS. No, sir. She was not a wanted person at that time. In order to be included in the National Crime Information Center as a fugitive, you would have to be wanted by a State for a serious crime and be backed up with a warrant.

Senator MONTROYA. Don't you have information in your Center here about individuals who have committed crimes?

Mr. ADAMS. Yes, documented serious crimes would be included in the National Crime Information Center. I don't recall that she had ever been convicted for a serious crime.

Senator MONTROYA. What about Lynette Fromme? Was she on your list?

Mr. ADAMS. Not in the National Crime Information Center.

Senator MONTROYA. In what center or in what files?

Mr. ADAMS. I am not sure whether we had a fingerprint record on her in the identification files. Do you recall?

Mr. GALLAGHER. No, sir, we did not. Subsequent check revealed an identification record. It listed no convictions and the charges were dismissed.

TERMINATION OF MRS. MOORE AS AN FBI INFORMANT

Senator MONTROYA. Can you tell us why Mrs. Moore was terminated as an informant by the FBI?

Mr. ADAMS. Yes, sir. She had been a "potential" security informant and during that status our purpose is to evaluate an individual for reliability before considering them as an actual informant whose activities would be directed.

Senator MONTROYA. How long was she in that potential category?

Mr. ADAMS. From about June of 1974 to June of 1975.

Senator MONTROYA. One year?

Mr. ADAMS. Yes, sir.

Senator MONTROYA. What does the word "potential" mean in that sense?

Mr. ADAMS. Potential in the sense that an individual is furnishing us information concerning various matters within our investigative responsibilities and we are attempting to determine reliability and whether to utilize him in a more active role.

She was discontinued after publicity had appeared in a newspaper to the effect that she had advised that she had been cooperating with the FBI. Therefore, her value to us as an informant or in developing her further was in question.

Senator MONTROYA. What was the exact nature of that publicity?

Mr. ADAMS. I don't recall the exact details of it other than the fact that it discussed the fact that she had been furnishing information to the FBI or had been in contact with the FBI.

Senator MONTROYA. Do you have the article, the newspaper article?

Mr. ADAMS. I can get it.

Senator MONTROYA. Would you submit it at this point for the record?

Mr. ADAMS. Yes, sir, I will obtain it and submit it.

Senator MONTROYA. Did that article reflect that she might be a potential threat of violence to anyone?

Mr. ADAMS. No, sir; not to my knowledge.

[The article follows:]

EXCERPT FROM BERKLEY BARB,
June 20-26, 1975

FBI Role in Popeye Mystery

by Barb's S.F. News Bureau

Damaging information about Popeye Jackson was leaked to numerous movement groups before his death by a woman who had worked as an informer for the FBI.

Sally Moore, a 47 year old San Francisco woman who was hired by the San Francisco Examiner as a bookkeeper for the People In Need food distribution program said she released her information six months ago.

Moore said she told at least 25 members and leaders of movement groups that Jackson had made a deal with William Randolph Hearst to receive favorable treatment from the state's parole authorities and used his position as Chairman of the United Prisoners Union for his own gain.

Popeye Jackson's co-worker at UPU and the mother of his unborn child, Pat Singer, said the charges against Jackson are false. "The pigs do whatever is advantageous for them," she said. "It was advantageous for them to keep Popeye out on parole then."

Jackson was killed on June 8, five days after a New World Liberation Front communique demanded that he respond to charges which are substantially the same as those raised by Sally Moore.

Ms. Moore, who says her involvement with the FBI ended last August, fears her information may have corroborated the charges which some have theorized are the reason behind Jackson's death.

Among the groups contacted by Ms. Moore in January were the Revolutionary Union, Tribal Thumb and the Vietnam Veter-

ans Against the War/Winter Soldier Organization (VVAW/WSO). Mark Bramhall of VVAW/WSO confirmed that Ms. Moore had offered information about Jackson, but only after the group had moved to expell her from meetings because of her involvement with the FBI. "We had gotten word from many movement groups that she was a pig," Bramhall said.

Ms. Moore describes herself as an upper middle class, suburban woman who had been in the anti-war and civil rights movements. She became interested in the political left, she said, after working for the PIN program beginning in February 1974. Wells Smith, Business Manager for the Examiner, confirmed that Ms. Moore did work as a bookkeeper for the PIN program. She says that she was not contacted by the FBI until after PIN ended. And it was in April 1974 when the Jackson-Hearst deal was made.

The PIN program was hastily organized after the Sybionese Liberation Army abducted Patricia Hearst and demanded that food be distributed to poor people.

"I first met Popeye at PIN coalition meetings," Ms. Moore said. The PIN coalition was a loose organization of groups which the SLA demanded be set up to oversee food distribution.

Ms. Moore said she found Jackson to be politically and personally impressive and asked him to help educate her in the politics of the Left while attending UPU benefits and meetings.

"I became a go-between for Popeye and Randy (William Randolph Hearst III)," she said. According to Ms. Moore Jackson

sent word through her to Hearst that he could contact the SLA informally. Jackson, she said, did transmit messages purportedly from the SLA. Hearst, according to Ms. Moore was desperate for contact with his daughter and felt obliged to maintain good relationships with prominent members of the Left.

Ms. Moore said that Hearst agreed to help Jackson with his then current fight against the California Adult Authority over a parole revocation.

On November 16, 1973 Jackson, who was on parole, was acquitted of a heroin possession charge, but was held in jail authorities said, because of arrest related violations of his parole. He was not released until November 23, 1973, still facing a final parole revocation hearing.

Ms. Moore said that she was present on the day that Charles Gould, a key Hearst aide and executive at the Examiner, telephoned Governor Ronald Reagan's office to plead for leniency in Jackson's case at Hearst's request.

On April 23, 1974 Jackson's parole was re-instated after a hearing at San Quentin prison.

"Popeye believed that Hearst had respect for him as a man," Pat Singer said, "and that Hearst recognized Popeye was getting fucked over. The Examiner even ran a page two story about it at the time. But Popeye had nothing to offer, so

there could not have been a deal."

Shortly after the alleged agreement between Jackson and Hearst, Ms. Moore said that she was contacted by the FBI and agreed to spy on a man she refuses to identify other than that he was associated with a cadre revolutionary group. She denies that she informed on Jackson or ever took money from the FBI for her information.

At the same time, however, she continued her contact with Jackson, and after the PIN program ended, worked as a volunteer at the UPU offices.

Pat Singer says that Ms. Moore was interested in Jackson emotionally as well as politically. "She followed him like a puppy dog," Ms. Singer said.

By July Ms. Moore said she had become converted to revolutionary politics and told her control agent, Bert Worthington of the San Francisco FBI office, that she had converted. At about the same time, she said, she angrily broke with Jackson. "He treated people like shit," Ms. Moore said, "he wanted money and middle class life. He did not give people the same respect he expected from them."

In January of this year, Ms. Moore said that after a meeting with San Francisco attorney Charles Garry she was convinced it was necessary for her to tell the truth about her role as an FBI informer and to reveal what she knew about Jackson.

INFORMANT COMPENSATION

Senator MONTROYA. How much was she paid while she was a potential informant for she FBI?

Mr. ADAMS. I don't have that information available.

Senator MONTROYA. Would you submit it?

Mr. ADAMS. I would like, before readily agreeing to submit it in public session, to consult with the Department and in view of the pending prosecution, consult as to whether it should be submitted in executive session.

Senator MONTROYA. We will be glad to weigh the propriety of that.

Mr. ADAMS. All right.

[The information follows:]

SARA JANE MOORE, AKA ASSAULTING THE PRESIDENT

(1) The amount of money paid to Sara Jane Moore as a potential security informant for the FBI.

Sara Jane Moore was paid a total of \$95 for services and \$712.46 for expenses incurred in obtaining the information she furnished the FBI.

VIOLENCE POTENTIAL OF MRS. MOORE

Senator MONTROYA. Was there any indication that Mrs. Moore during her period as an FBI informant exhibited a potential for violence or an unusual interest in the President?

Mr. ADAMS. Not that I know of. No, sir.

Senator MONTROYA. Who does know everything about her? Who evaluated her?

Mr. ADAMS. I think I know about as much as there is to know about her from the information in the files and I have seen nothing indicating that there was any indication of violence on her part prior to this time.

Senator MONTROYA. Were your Sacramento and San Francisco agents in the area where the attempted assassination took place?

Mr. ADAMS. Yes. We have a field office of the FBI in Sacramento and we have a field office headquarters in San Francisco.

Senator MONTROYA. Were they in the specific areas where the attempted assassinations took place?

Mr. ADAMS. Not specifically for that purpose, and I don't know if any were available. Do you know?

Mr. GALLAGHER. No, sir, I don't believe there were any of our agents right in that area.

Senator MONTROYA. I understand the FBI was advised by Inspector Jack O'Shea of the San Francisco Police Department on Saturday, September 20, 1975, that he was apprehensive concerning remarks of your informant, Sara Moore.

Do you have information of this telephone call with respect to O'Shea?

Mr. ADAMS. Yes, sir.

Senator MONTROYA. What does it reflect? Did he advise your agents that this girl could be another Lynette Fromme?

Mr. ADAMS. Sir, I would again like to reserve answering that question in public session. I haven't had an opportunity to discuss this with the Department from a prosecution standpoint.

If necessary, and with the Department's concurrence, I would be glad to make that information available.

[The information follows:]

(2) Did Inspector John O'Shea of the San Francisco Police Department, when he contacted FBI Special Agent Terry D. Hulse, San Francisco Office of the FBI, advise SA Hulse that he thought Sara Jane Moore might be another Lynette Fromme?

Special Agent Hulse advises that all information furnished to him by Inspector John O'Shea in this matter was furnished to the U.S. Secret Service and no statement was made to him by Inspector O'Shea that he thought Sara Jane Moore was another Lynette Fromme.

Senator MONTROYA. Was this information passed to the Secret Service?

Mr. ADAMS. On Sara Jane Moore?

Senator MONTROYA. The conversation with Inspector O'Shea?

Mr. ADAMS. Yes, sir.

Senator MONTROYA. It was passed to the Secret Service?

Mr. ADAMS. It was disseminated to the Secret Service in the field and a teletype sent to FBI headquarters where it was disseminated to Secret Service headquarters.

Senator MONTROYA. On the same day?

Mr. ADAMS. I believe that is correct. The 20th.

Senator MONTROYA. Can you give me the hour?

Mr. ADAMS. No, sir. I cannot offhand.

Senator MONTROYA. Was it in the morning or afternoon?

Mr. ADAMS. I can't answer that question off hand, sir.

Senator MONTROYA. Did you have anyone in your agency who might have been supervising her role as an FBI informant in the field?

Mr. ADAMS. During our utilization of her as a potential security informant, there would have been a case open which would have been assigned to an agent who was in contact with her.

Senator MONTROYA. Would you submit the name of the agent to this committee?

Mr. ADAMS. I know of no reason not to submit the name to the committee. I will make that available, sir.

Senator MONTROYA. Would you check into the precise hour during which you transmitted the Inspector O'Shea conversation to the Secret Service?

Mr. ADAMS. Yes, sir.

Senator MONTROYA. And to whom in the Secret Service?

Mr. ADAMS. Yes, sir.

Senator MONTROYA. I would like to have that before we open the hearings at 10 o'clock tomorrow morning. Your response will be placed in the record at this point.

Mr. ADAMS. Yes, sir.

[The information follows:]

1) The name of the Special Agent who handled Moore as a potential security informant.

Special Agent Bertram George Worthington, assigned to the San Francisco Division, handled Moore as a potential security informant.

2) The time and date dissemination was made to Secret Service of information the FBI received about Moore from Inspector John O'Shea of the San Francisco Police Department.

On September 20, 1975, at 4:45 p.m., Pacific Time, Inspector John O'Shea, San Francisco Police Department, contacted the San Francisco Office of the FBI concerning a contact that department had with Moore. This information was furnished by Special Agent Terry D. Hulse, San Francisco Office of the FBI, to Cliff Deckard, Secret Service, San Francisco, at 5:45 p.m., Pacific Time, September 20, 1975, and was also furnished to Desk Officer Stickter, Palo Alto, California, Police Department, at 6:30 p.m., Pacific Time.

By teletype 8:12 p.m., Pacific Time (11:12 p.m., Eastern Time), September 20, 1975, San Francisco forwarded this information to FBI Headquarters. At 2:45 a.m., Eastern Time, September 21, 1975, Special Agent Robert A. Keane, FBI Headquarters, advised Secret Service Duty Agent Bill Hamilton concerning this contact by the San Francisco Police Department. This was confirmed by a teletype from FBI Headquarters to U.S. Secret Service, 4:10 a.m., Eastern Time, September 21, 1975.

RECIDIVISTS RETURNED TO STREETS

Senator MONTROYA. Your statement alarms me very much when you state, "We do know that 429,000 persons were arrested for crimes of violence on the streets of America last year. And experience tells us that approximately two-thirds of those 429,000 persons were recidivists. They had been arrested one or more times before. Many of them had been turned loose prematurely on society, possibly on parole or probation, or possibly after serving a lenient term for a serious offense."

Then you go on to state that in the State of California, 2,003 violent criminals are returned to the streets in that State each year.

What can we do to try to deter these people from committing these crimes other than what you suggest; namely, corrective treatment?

Apparently there is no corrective treatment and if there is, it has failed.

What do you prescribe or recommend by way of deterrents?

Mr. ADAMS. One thing, which is a minor part of the total problem, but the FBI for many, many years has been in favor of attempting to remove handguns from the hands of those who would misuse them. In particular, legislation which would make mandatory minimum sentences for conviction of using a weapon in the commission of a serious crime.

We recognize that there are 40 million handguns in the United States today, many of which are properly used for protection purposes, but what we are concerned about is some meaningful legislation which could be enacted which would at least get to the heart of the problem of ensuring that everyone knows that if they use a handgun in the commission of a serious offense, they are going to jail. They are not going to be plea bargained out. They are not going to be turned loose on the streets.

I think we have about 130, around that figure, police officers killed every year, and almost all of them are killed by handguns.

So as a group, police officers are very concerned about the need for penalties against misuse of handguns.

Some of the major problems we are encountering are caused by shortage of personnel in the criminal justice system. Admittedly there are not enough Federal judges. There are not enough U.S. attorneys.

We have areas of the country where after we solve cases and present those cases there isn't enough time on the docket to try every case that should be tried. We are forced to resort to alternatives such as plea bargaining or decline prosecution.

It may also be there aren't enough penitentiaries. With California's passage of their recent gun legislation, they may well find a shortage of penitentiaries to house people that are convicted for using a gun in the commission of a crime.

But it is the total criminal justice system that needs overhaul. There isn't any one section of it that you can point the finger of blame to. It is just inadequate in coping with the problems we have today.

A second item is the need for public awareness in a crime resistance program. Mr. Kelley has recently initiated a crime resistance pilot program in four cities trying to determine means of getting better citizen involvement in resisting crime.

The selected areas affect large segments of our population, crimes against the elderly, youth, crimes against property. These are areas where we need greater public involvement in crime resistance, and we have pilot programs going where we are assigning FBI agents, under the supervision of police departments, to work on this as a joint pilot study.

As far as specific recommendations are concerned, we spend time up on the Hill testifying, as you well know, on a number of various items of legislation.

We find that most of these bills seem to be directed toward restricting the activities of law enforcement agencies rather than criminal activity, unlike this subcommittee which has indicated a desire to see what strengthening can be given, procedures designed to protect the President.

Therefore, there is a necessity for the public to realize that we, in law enforcement, are not the enemy. The people who commit 20,000 murders a year in the United States are the enemy, and the total criminal justice system must be shaped to accomplish better results in that area.

But I think it is a very broad problem. It is a very complex problem. I appreciate the interest being shown here in one particular area which applies not only to the President, but applies to Congressmen running for reelection. They come under the jurisdiction of the congressional assassination Statute, and they come under the jurisdiction of the Civil Rights Act, where a person might threaten or intimidate them in exercising their right to run for office.

Anything that can be done to reduce the hazards to people in public life is welcome to all of us in law enforcement.

THREATS AGAINST CONGRESSMEN

Senator MONTROYA. Do you assign FBI agents to Members of Congress at times?

Mr. ADAMS. No, sir.

Senator MONTROYA. You investigate after they are injured or killed?

Mr. ADAMS. That is right, sir, but we also handle many, many threats against Congressmen, investigate those and determine or attempt to determine the identity of those making the threats who often hide behind anonymity and ensure that they are prosecuted in order to deter them from further acts of violence which might take place against Congressmen.

We also insure that any time information comes to our attention which might indicate a Congressman is in jeopardy that this is not only disseminated immediately to the local police authorities and other Federal agencies, but to the Congressman himself through a member of his staff if the Congressman is unavailable.

We use our intelligence-gathering mechanism to afford the same protection that we do to all citizens. That is, if we have any indication of violence or criminal acts about to take place, we place this information in the hands of State and local or Federal officials who have an obligation to do something about it.

But we are not chartered to provide personal protection by assigning personnel to a Congressman. We do have authority to assign them to the Secret Service in connection with their protective responsibilities and on occasions upon the requests at the headquarters level we have so assigned protective personnel.

Senator MONTROYA. On page 97, you state "In complying with this agreement"—that is, the agreement with the Secret Service—"during our investigations of matters involving the civil disturbances, anti-U.S. demonstrations, bombing matters and subversive organizations and individuals, we furnished more than 29,800 items to Secret Service at the headquarters level during the past fiscal year.

"Our field offices also furnished the same items locally to Secret Service across the United States."

Does this imply that all items furnished to the Secret Service had to be cleared by headquarters?

Mr. ADAMS. No, sir.

DISSEMINATION OF INFORMATION

Senator MONTROYA. Or do you have a manual whereby automatically these things are referred to the Secret Service?

Mr. ADAMS. Yes, sir. We disseminate them instantly, by the most expeditious means available on the local level, because that is where the information is developed.

Then they send in to us that information so that we can disseminate it at the headquarters level. This may seem like a duplication of effort, but the Secret Service takes threats like this very seriously and wants to make sure that we don't have a lack of communication somewhere along the line.

So we do subsequently disseminate at headquarters, but instantly disseminate in the field. If we get the information initially at headquarters, which we sometimes do through foreign sources, then we disseminate it instantly here and follow it up with other communications.

Senator, I would like to correct what may have been a misstatement on my part before when I was talking about threats against Congressmen. I meant attempts or assaults on them.

As you probably know, there is a little hiatus in the law where there is actually no FBI jurisdiction over threats against Congressmen. We do immediately bring those to the attention of the Congress and, where appropriate, we investigate them as a potential attempt to round out the complaint.

Senator MONTROYA. In light of the events which have occurred, do you feel that the FBI organization is doing what is necessary and adequate to complement the protective measures that the Secret Service undertakes in behalf of a President and Vice President?

Mr. ADAMS. Yes, sir. I feel we are doing all we can. But when the last agreement was drawn up in 1973, we didn't just forget about it. We have frequent conferences with them to discuss means by

which we can improve the dissemination of information which might be of value to them.

Senator MONTROYA. Is there any need for further implementation of this agreement and to define it somewhat more broadly?

Mr. ADAMS. This would basically have to be a question to be decided by the Secret Service because we are in the position of providing the information they desire and if they feel that it does not fully meet their needs, then during our periodic reevaluations of the agreement they would bring that to our attention and we would definitely satisfy the needs they feel exist.

Senator MONTROYA. There would be no problem there, would there?

Mr. ADAMS. Absolutely not.

Senator MONTROYA. What about better coordination between the Secret Service, the FBI, and the State police organizations in a State and the police of the local political subdivisions? What expert advice can you give us that might lead to a better line of communication and coordination?

Mr. ADAMS. I can't think of any. I notice that when I attend police meetings around the country, like the recent International Association of Chiefs of Police meeting, there were quite a few FBI personnel there and Mr. Knight and his staff were there. We discussed a number of items at that meeting with the local police officials.

We have held training programs to emphasize our responsibilities and the Secret Service has held training programs for local police agencies.

I can't think of anything at the moment to submit as a suggestion, but it is something that I think we have to continually review to insure that we have or that we are doing everything that we possibly can.

Senator MONTROYA. Have you ever discussed the protection of the President at these training seminars?

Mr. ADAMS. Yes, sir.

Senator MONTROYA. Have you made an in-depth inquiry as to what the respective responsibilities of the different law enforcement agencies might be?

Mr. ADAMS. Yes, sir.

Senator MONTROYA. Have you done this with respect to the different Federal agencies that are engaged in enforcement?

Mr. ADAMS. Yes. We have periodic meetings. We have meetings with the heads of the Federal investigative agencies once a month. We put on, for instance, 10,000 police schools a year in the United States, involving 300,000 police officers.

We have constant and continued contact with them. We are presently in the process of sending out another communication to the law enforcement officers in the United States, advising them of our respective responsibilities in the area of protection of foreign officials, which is directly related to this problem to again remind them of this.

I believe the last communication was probably within the last year. But we do try to emphasize this. It is a matter of concern to all of us.

Senator MONTROYA. Thank you very much, gentlemen, for appearing here this afternoon.

Mr. ADAMS. Thank you. I will get the information you requested.

Senator MONTROYA. The subcommittee will stand in recess until 10 a.m. tomorrow, when we will receive testimony in room 1318.

At that time we will receive testimony from Senator Edward Kennedy, who is a former protectee; Rex Davis, Director of the Bureau of Alcohol, Tobacco, and Firearms; Lt. James Ryan, of the San Francisco Police Department; Col. E. C. Dothand, director of the Alabama Office of Public Safety; Insp. John O'Shea, of the San Francisco Police Department; and Agents Gary Yauger and Martin Haskell of the Secret Service.

SUBCOMMITTEE RECESS

We shall then be in recess until 10 o'clock tomorrow morning.

[Whereupon, at 5:02 p.m., Tuesday, September 30, the subcommittee was recessed, to reconvene at 10 a.m., Wednesday, October 1.]

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TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS FOR FISCAL YEAR 1976

WEDNESDAY, OCTOBER 1, 1975

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C.

The subcommittee met at 10 a.m., in room 1318, Everett McKinley Dirksen Office Building, Senator Joseph M. Montoya (chairman) presiding.

Present: Senators Montoya, Young, Bellmon and Eagleton.

DEPARTMENT OF THE TREASURY

REVIEW OF SECRET SERVICE PROTECTIVE MEASURES

NONDEPARTMENTAL WITNESS

SCOPE OF HEARING

Senator MONTOYA. The subcommittee will be in order.

This morning we shall continue to receive testimony concerning protective measures undertaken by the Secret Service.

Yesterday, the subcommittee received extensive testimony from Secretary of the Treasury William E. Simon, Secret Service Director H. Stuart Knight, and Deputy Associate Director James B. Adams of the Federal Bureau of Investigation regarding protective operations and the two recently attempted assassinations on the life of the President.

In addition, Senators Humphrey, Goldwater, Muskie and McGovern provided testimony concerning their experiences when they received Secret Service protection while candidates for national office.

Much of the testimony concerned the increasing number of vicious acts toward public officials and candidates which have taken place in recent years, as well as the two recent attempts upon the life of President Ford in California.

Many questions are unresolved concerning these recent incidents. Neither of the women charged with attempted assassination appeared in protective intelligence files of the Secret Service. In the Sacramento incident, the accused was well known to local, State and national law enforcement officials as a person associated with violent activities. Yet she was allowed to come within a few feet of the President with a loaded revolver.

In the San Francisco incident, the accused was interviewed by Secret Service agents and released the night before she allegedly shot at President Ford. We are told she was released on the basis that information obtained from the interview did not reveal her to be a potential threat to the life of the President.

Although she was disarmed the previous day and cited for carrying a concealed weapon, she was known to have contact with gun dealers and was alleged to have made vague threats concerning "testing the system," Mrs. Moore was allowed to come within close proximity of the President in San Francisco on September 22, 1975.

There are no easy answers to the questions that continue to plague the public and the Congress as to the increased violence against the leaders of our nation.

The subcommittee will continue to explore this matter, and hopefully, from our review, will come recommendations for making protective measures more effective without endangering citizens' rights or limiting public political freedoms.

PREPARED STATEMENT OF SENATOR KENNEDY

Senator Edward Kennedy was scheduled to be our first witness this morning, but he has a very pressing engagement. He was going to relate his experiences with Secret Service protection and the experiences of other members of the Kennedy family.

Unfortunately, he will not be with us, but he has sent a statement to this subcommittee, which will be inserted into the record at this point.

[The statement follows:]

PREPARED STATEMENT OF SENATOR KENNEDY

I am pleased to be invited before this committee today to provide some general observations and comments on the effectiveness of the Secret Service in light of their provisions of security arrangements intermittently for many years for me and for members of my family.

Twice within a 17-day period our Nation and the world were stunned by assassination attempts on the President, although in both cases the President escaped unharmed. The Secret Service, charged with the President's protection has been alternately praised and criticized. It is my understanding that the purpose of these hearings is to examine the type and the competency of the protection afforded the President and to make recommendations to further insure his security of movements. I fully endorse this goal, particularly during the present climate when a few disturbed individuals have posed a threat to the lives of people in public service. It is my belief that as long as these threats exist, every reasonable additional precaution and fully sufficient manpower should be provided to minimize the threat upon the health and safety of the President and other leaders in public life.

But my specific purpose for accepting this invitation to come before this committee is to present my views, based on personal contacts of the high caliber and the competency of the members of the Secret Service, of their outstanding performance and their deep commitment to duty. Without question, the members of the Secret Service have consistently displayed an extraordinary sense of duty and concern. I have particularly observed this during the number of years the Secret Service has provided security to my niece and my nephew as well as to my sister-in-law. The personal and conscientious concern for their welfare and safety of the agents assigned them has been exceptional. All the members of my family are deeply grateful for this response which has often extended beyond the requirements of their assignments.

In the periods when the Secret Service has been offered to me, I have been fully satisfied with the cooperation and competence of the various agents who were assigned to this detail. It is a difficult task involving long hours and travel and deprives them of many hours with their families. I believe that the Nation can be proud of the record of the Secret Service and the efficiency it has displayed down the years. And

it is my hope which I know is shared by others that any examination of the Secret Service and its effectiveness will take into consideration its exemplary performance in the past and the need to provide sufficient equipment and manpower to enable it to increase its effectiveness in the coming years.

STATEMENT OF COL. E. C. DOTHard, DIRECTOR, ALABAMA OFFICE OF PUBLIC SAFETY

Senator MONTROYA. Our first witness, will be Colonel E. C. Dothard, who is the Director of the Alabama Office of Public Safety.

He was with Governor George Wallace in Maryland in 1972 when the Governor was severely wounded in an assassination attempt. At the time of the incident, Governor Wallace was receiving Secret Service protection. Colonel Dothard was wounded in the same incident. He is here to present a statement from the Governor.

Colonel, we are pleased to have you here today to deliver a statement by the Governor of Alabama, Governor Wallace, who has been detained, I understand, in Alabama on State legislative business. Will you please proceed with your statement?

Senator Young, do you have an opening statement?

Senator YOUNG. No, thank you, Mr. Chairman.

Colonel DOTHard. Mr. Chairman, distinguished members of this subcommittee, ladies and gentlemen:

It is a pleasure to appear before you today on behalf of Governor George Wallace, who has asked me to extend to you his greetings. He regrets that he could not appear personally because of the annual legislative session in Alabama, which is in its final days.

I have delivered to the committee and I am sure that you have before you a statement from Governor Wallace, which I shall read to the committee.

Since I served for 11 years as Chief of Governor Wallace's State Office of Security and was with him on May 15, 1972, in Laurel, Md., I feel that I am personally aware of the Governor's assessment of Secret Service protection, and I will be glad to entertain your questions following the statement that I will read at this time.

"Testimony from Governor George C. Wallace submitted to the Appropriations Subcommittee on Treasury, Postal Service and General Government, and delivered by Colonel E. C. Dothard, Director of the Alabama Department of Public Safety.

From all that I have experienced, I would say that the Secret Service is a fine, professional organization. They have done a great job for me during the two different campaigns they were assigned to me.

We must realize that there is no such thing as complete protection when a candidate or public official mingles with a crowd, but I do feel that those agents assigned to me have performed their duties in a commendable and professional manner. They are conscientious about their work and appeared to me to be well trained for their assignment.

In view of the fact that I am not an expert in the field of protective security, I do not have any specific recommendations to make to the subcommittee and will defer to your good judgment after you have conducted these hearings and received expert testimony.

I will make one commitment to the future, however, and that is if I am ever afforded Secret Service protection again, I will do my best to follow their advice.

Senator MONTROYA. Have you completed the statement of the Governor?

Colonel DOTHard. Yes, sir.

AREAS TO BE AVOIDED

Senator MONTROYA. Colonel Dothard, you have been with the Governor a long time, and no doubt you have reviewed with the Governor the need for protective measures for a Presidential candidate, and you have traveled with the Governor quite extensively, have you not?

Colonel DOTHARD. Yes, sir.

Senator MONTROYA. Can you give us any advice or counsel as to what should be done about protecting a Presidential candidate?

Colonel DOTHARD. I think the first thing that should be done is that all the candidates should stay away from uncontrolled crowds, in the streets and out in shopping centers where no amount of protection can protect the person that they are assigned to protect. Go on into areas where you have some control, like city centers and auditoriums. You lose control completely when you get out into the streets.

Senator MONTROYA. Have you discussed this with Governor Wallace?

Colonel DOTHARD. Yes, sir.

Senator MONTROYA. Is this his advice to this subcommittee?

Colonel DOTHARD. Yes, sir. As a matter of fact, the Secret Service advised against going into shopping centers in 1972.

Senator MONTROYA. Advised him before the incident when he was shot?

Colonel DOTHARD. Yes, sir.

Senator MONTROYA. What other situations would he be speaking about other than shopping centers and street gatherings?

Colonel DOTHARD. I think any situation where you don't have control.

Senator MONTROYA. Are you saying that the only places where a crowd could be controlled would be an enclosure such as an auditorium or meeting hall?

Colonel DOTHARD. I would say the chances are much better.

Senator MONTROYA. That is what you are speaking of when you mean a controlled situation?

Colonel DOTHARD. Yes, sir; that is right.

Senator MONTROYA. Do you have any further questions, Senator Young?

APPEARANCES IN SHOPPING CENTERS

Senator YOUNG. I notice you didn't read the last sentence of the statement that says: "They had advised me against appearing in shopping center-type rallies in 1972."

Did the Secret Service advise Governor Wallace against appearing at shopping centers?

Colonel DOTHARD. Yes. I realized that, and I mentioned it later. They did advise against this type of situation, such as going into shopping centers.

Senator MONTROYA. From your past experience now, do you consider a shopping center a pretty dangerous place?

Colonel DOTHARD. Yes, sir; very much.

Senator YOUNG. That is where most candidates like to go.

ACCEPTANCE OF SECRET SERVICE PROTECTION

Senator MONTROYA. Do you believe it desirable in the national interest for candidates to be allowed to decline Secret Service protection, when by law the President and Vice President have no alternative but to accept such protection?

Colonel DOTHARD. I wouldn't have any thoughts on that. I understand Governor Wallace will take the protection if it is offered, and I believe that he should.

Senator MONTROYA. Will he take that protection immediately? It is available to him, I understand, as of today, October 1. Will he accept this protection?

Colonel DOTHARD. Yes, he will.

CLOSE CONTACT WITH CROWDS

Senator MONTROYA. Do you believe it absolutely essential in our political system for the President to insist on close contact if large groups of persons congregate upon his arrival at airports and scheduled events?

Colonel DOTHARD. No, sir, I do not.

Senator MONTROYA. Have you so advised Governor Wallace?

Colonel DOTHARD. Yes, sir.

Senator MONTROYA. Does he agree with this?

Colonel DOTHARD. Yes, sir.

Senator MONTROYA. Do you have any suggestions as to what the President and other protectees can do in their travels to assist the Secret Service in carrying out its protective mission?

Colonel DOTHARD. Yes, sir. I think they should rely on the advice of the Secret Service. These men are professionals. They know their job, and they do it very well.

Senator MONTROYA. Do you believe that every time the President goes into a thick crowd and leaves the planned pockets of Secret Service protection he opens himself to some violence-prone individual to take action?

Colonel DOTHARD. Yes, sir, I do.

Senator MONTROYA. Is there any protection possible against that kind of danger, in your opinion?

Colonel DOTHARD. No, sir.

Senator MONTROYA. Do you have any suggestions or does Governor Wallace have any suggestions as to what the Congress can do to assist the Secret Service in its protective mission, and what laws should be enacted to complement the present protective measures that are available to the Secret Service?

Colonel DOTHARD. No, sir, I don't in the way of law. I understand that the Secret Service has asked for additional personnel and additional money. I think this would be good. During the last few years, they have broadened out and are far more involved than they were several years ago; especially in the past 4 years.

Senator MONTROYA. Thank you very much. Do you have further questions?

Senator YOUNG. No more questions.

Senator MONTROYA. Thank you very much, colonel, and please thank Governor Wallace for sending us his statement.

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BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS

**STATEMENT OF REX D. DAVIS, DIRECTOR, BUREAU OF ALCOHOL,
TOBACCO, AND FIREARMS, DEPARTMENT OF THE TREASURY**

ACCOMPANIED BY:

**DAVID R. MACDONALD, ASSISTANT SECRETARY OF THE TREA-
SURY FOR LAW ENFORCEMENT**

**MILES KEATHLEY, DEPUTY ASSISTANT DIRECTOR, CRIMINAL
ENFORCEMENT**

Senator MONTOYA. Our next witness is Mr. Rex D. Davis, Director, Bureau of Alcohol, Tobacco, and Firearms.

Mr. Davis, you may bring your associates to the witness table, if you wish, and anyone from Treasury that might see fit to be present here.

Mr. Davis, you have Assistant Secretary Macdonald with you. Do you have any other associates?

Mr. DAVIS. Yes, sir. I would like to have Deputy Assistant Director for Criminal Enforcement, Miles Keathley, be at the table.

Senator MONTOYA. You may proceed with your statement, Mr. Davis. You are the Director of the Bureau of Alcohol, Tobacco, and Firearms, of the Treasury?

Mr. DAVIS. Yes, sir; that is correct.

Senator MONTOYA. How long have you been serving in this capacity?

Mr. DAVIS. Sir, I have been Director of the Bureau since 1972, and previous to that time I was Director of the Division, part of the Internal Revenue Service, from 1971.

Senator MONTOYA. How long have you been employed under both setups within the Internal Revenue Service and then subsequently in Treasury?

Mr. DAVIS. I entered the Bureau and its predecessor organization on December 30, 1949.

Senator MONTOYA. Did you serve in any other capacity other than as Director?

Mr. DAVIS. Yes, sir. I started out as a Special Agent in the field.

Senator MONTOYA. How long ago was that?

Mr. DAVIS. That was in 1949.

Senator MONTOYA. You have had adequate experience, then?

Mr. DAVIS. Yes, sir; I hope so.

Senator MONTOYA. You may proceed with your statement, sir.

Mr. DAVIS. Thank you, Mr. Chairman.

Mr. Chairman, members of the subcommittee, it is my pleasure to appear before you today to discuss our day-by-day operations, interfaced with those of the United States Secret Service, particularly as they apply to the protection of the President of the United States.

Let me begin by stating without hesitation that we have always had an excellent working relationship with the Secret Service, including the time that we were a Division of the Internal Revenue Service.

I suppose more than any other Federal law enforcement agency, the Bureau of Alcohol, Tobacco, and Firearms has been called upon by the Secret Service to assist them in protecting the President or other dignitaries.

Senator MONTROYA. May I interrupt you there so you can tell us here just exactly what comes under the jurisdiction of your Bureau?

Mr. DAVIS. Yes, sir. I would be very happy to. Our law enforcement responsibilities include the enforcing of the Federal laws relating to alcohol, tobacco, and firearms and explosives.

We do have some regulatory responsibilities in these fields as well.

Senator YOUNG. May I ask a question? Do you get into narcotics at all?

Mr. DAVIS. No, sir, not directly. We do refer any narcotics information coming to us to the Drug Enforcement Administration.

While these demands for manpower always created some short-term problems for us, we have felt that it was an honor to receive the request since in our eyes it meant that the Secret Service placed special confidence in our Special Agents to perform this vital service to the nation.

We have never, as far as I can remember, denied their request for assistance in the field of protective services and we shall continue to make our men available as long as they have need for our help.

As an example, in 1972, ATF had over 100 agents assigned to the National Political Conventions held in Miami Beach. These agents work closely with and under the direction of the United States Secret Service to insure the security of the participants at these conventions.

As you know, all of the Treasury Agents begin their career by attending the Federal Law Enforcement Training Center. While there, they receive basic training in the field of dignitary protection.

This has been of tremendous help when our agents are called upon to assist the Secret Service in performing this function. This initial training causes the agent, while he is performing his other duties, to be constantly alert for instances or information that could indicate a possible threat to the safety of the President.

Once the agent comes into possession of information of this type, he is able to evaluate it, both in terms of validity and urgency before he contacts the Secret Service.

Under our Manual of Procedures, our agents have the authority to relay information of this type directly to Secret Service without going through their immediate supervisor.

The supervisor is, of course, notified later. But what I am stressing here is we do not stand on organizational authority or protocol when dealing with matters of this importance.

Usually the contacts between our agents and those of the Secret Service are in person or by telephone, followed by an official confirming memorandum setting forth the information.

In the larger cities, our agents are in almost constant contact with their counterparts in the Secret Service, as well as other agencies. It is only through these contacts that the needed exchange of information is brought into being and cemented into a continuing process.

The effectiveness of these contacts and the working relationship between ATF and the Secret Service can best be illustrated by citing two examples that occurred during the month of September 1973.

In a Midwestern State, an ATF agent working in an undercover capacity was offered \$25,000 by an individual to kill the President of the United States.

The U.S. Secret Service was immediately contacted. At their request, we continued the undercover operation until sufficient evidence was gathered to bring about the arrest of the subject on the day following his offer.

In another instance, ATF special agents provided the U.S. Secret Service with information acquired from an informer on that date, relating to the informer's contact with a member of a militant organization.

The subject was a twice convicted felon, armed with three high-powered rifles and a possible automatic weapon. The felon indicated he was en route to a city where a meeting with a militant organization was to take place to discuss the President's scheduled visit to that city.

COOPERATION BETWEEN ATF AND SECRET SERVICE EMPHASIZED

Mr. Chairman, with your permission, I would like to deviate briefly from my prepared statement. The two incidents I have just referred to were intended to assist the committee in understanding the relationship between the Bureau of Alcohol, Tobacco, and Firearms and the U.S. Secret Service.

From this standpoint, they were intended to emphasize the fact of cooperation rather than the importance of the incident.

In other words, they were used to show the continuing cooperation between ATF and the Secret Service in the area of presidential protection and the importance placed by ATF on potential threats to the President's safety.

In my view, the action taken by both organizations in these instances were both appropriate and effective.

ERRORS IN JUDGMENT

Senator MONTROYA. May I say at this point that the subcommittee appreciates your candor in bringing these incidents to its attention. I believe it is most essential that we fully appreciate that when referrals are made to the Secret Service, the Secret Service does exactly what it has been doing, although we must make allowances for errors in judgment during some of these incidents.

Certainly errors in judgment have occurred. The Secret Service cannot be perfect. I want to make that clear. I am not faulting the Secret Service, but we certainly appreciate the fact that you have brought to the attention of this subcommittee these two illustrative incidents.

Mr. DAVIS. Thank you very much, Mr. Chairman. I will continue with the final paragraph of my prepared statement.

We in the Bureau of Alcohol, Tobacco, and Firearms are proud of our long tradition of cooperation with other law enforcement agencies. For example, in fiscal year 1975 we made 7,437 formal referrals to other law enforcement agencies. Of that number, 928 were referrals to other Federal law enforcement agencies, including the U.S. Secret Service.

While we do not classify formal referrals by agency, we have no doubt that many of the 928 were made to the U.S. Secret Service.

Mr. Chairman, you can be assured that we will continue to promptly provide our sister law enforcement agency with any information that comes to our attention bearing on the safety of the President of the United States or other dignitaries.

I am now prepared to answer any questions that the subcommittee may have.

THREATS ON THE LIFE OF THE PRESIDENT

Senator MONTROYA. Did you work with the Secret Service in the handling of the offer of \$25,000 by an individual to your undercover agent to kill the President of the United States? Did you work on this case with the Secret Service to the final disposition thereof?

Mr. DAVIS. Yes, sir, we did. As soon as the offer had been made, our agent did contact the Secret Service, and at their request he continued in his undercover capacity. He did recontact the individual on the following morning. At that point the individual indicated that he was no longer interested in the transaction.

My understanding is that later that day he was arrested by the Secret Service.

Senator MONTROYA. Did you report this incident to the FBI also?

Mr. DAVIS. My understanding is that the FBI was involved at the same time the Secret Service was, on the morning after the offer was made.

OTHER VIOLATIONS OF FEDERAL LAW

Senator MONTROYA. Do you continue to submit such information to the Secret Service and other agencies that might be concerned with any possible violation of Federal law?

Mr. DAVIS. Yes, sir. That is our policy.

Senator MONTROYA. How many incidents, would you say, were relayed or referred to the Secret Service, in the last year, that border on threats or were actually threats to the safety and well-being of the President?

Mr. DAVIS. By reason of the way we classify those, I can only give you an estimate. I would, on the basis of a quick review of our file, assume that it would be somewhere in the neighborhood of 25 to 50.

Senator MONTROYA. Have you pursued those threats yourself with the individuals concerned to try to ascertain whether violation of Federal law was committed and whether or not the individual should be prosecuted under Federal law or even local law?

Mr. DAVIS. Sir, if the information or incident involves only Presidential or other dignitary protection, we rely completely on the direction of the Secret Service.

If they wish our assistance, we certainly provide it.

If the incident involves a violation of the laws under our jurisdiction, then we would coordinate our activities and investigation with that of the Secret Service.

Senator MONTROYA. Would you relate for the record the number of instances, and their nature, that you have referred to the Secret Service?

Mr. DAVIS. Yes, sir. We can provide that at a later time.
[The information follows:]

In fiscal year 1975, ATF made these referrals to the United States Secret Service:

Protective matters	30
Counterfeit matters	108
Stolen Government checks.....	19

Senator MONTROYA. Do you know what disposition was made of any of these situations?

Mr. DAVIS. I think in many cases, of course, we would not know what the Secret Service action was in each instance, so that at least we can give you the information to the point that we have it in our files.

TRAFFICKING IN EXPLOSIVES AND GUNS

Senator MONTROYA. You have jurisdiction over the interstate traffic in explosives and guns, do you not?

Mr. DAVIS. Yes, sir.

Senator MONTROYA. Do you know of any incident where guns have been transported, directed or destined towards a place where the President might be speaking?

Mr. DAVIS. It is somewhat speculative. We do feel that there have been instances where guns and other explosives, or explosive devices, have been transported by members of militant organizations to points that the President was expected to visit. Beyond that, of course, it is somewhat speculative as to what the action or intent of the individuals was.

Senator MONTROYA. Have you reported all of these incidents to the Secret Service and to the FBI?

Mr. DAVIS. Yes, sir.

Senator MONTROYA. What kind of reporting procedures do you follow?

Mr. DAVIS. In our manual, as I have indicated in my opening statement, particularly in matters of Presidential safety and dignitary protection, our agents are authorized to go directly to their Secret Service counterparts without going through any chain of command.

In other words, this could be done immediately that way. Of course, the procedure requires that after that has been accomplished then they are to notify their superiors. We do have a particular form that is used for what we call formal referrals. This is a follow-up form.

USE OF MRS. MOORE AS AN ATF INFORMANT

Senator MONTROYA. What can you relate with respect to the hiring of Mrs. Moore as an informant of your Bureau? Will you please give us the chronology of that employment or association?

Mr. DAVIS. Yes, sir. Agents of the Bureau of Alcohol, Tobacco, and Firearms had only one contact with Mrs. Moore. This was arranged through the San Francisco Police Department. That contact occurred on September 21st—that was a Sunday—1975. An ATF agent met with the police, San Francisco police officers, and Mrs. Moore, and following that contact the agent did accompany Mrs. Moore to a place where she had previously acquired a firearm.

Senator MONTROYA. What was the nature of the contact initially between the San Francisco Police Department and your agency?

Mr. DAVIS. On September 20, members of the San Francisco Police Department did contact our agents and indicated that they had an individual who had information regarding possible violations of our laws and indicated that she would be willing to accompany that undercover agent to the place where she had previously purchased the firearm.

Senator MONTROYA. What compensation was promised to her at the time?

Mr. DAVIS. Mrs. Moore has never been given any compensation by the Bureau of Alcohol, Tobacco, and Firearms. That includes any rewards, expenses or any other form of compensation.

Senator MONTROYA. Did you intend to give her any compensation even though none had been promised to her?

Mr. DAVIS. No, sir. The plan of action was that she would introduce our undercover agent to the individual in question, and then as is usually followed in cases of this kind, she would no longer appear. The next contact would be made by the undercover agent alone. Of course, obviously, the plan was not followed.

Senator MONTROYA. Did you check her background when you decided to use her?

Mr. DAVIS. No, sir. We relied on information that was supplied to us by the San Francisco Police Department.

Senator MONTROYA. What information was that?

Mr. DAVIS. To the best of my recollection, they generally indicated that her information to them had not been very productive in the past, but they felt that in this particular instance she could be of value to the investigation.

PAYMENTS TO INFORMANTS

Senator MONTROYA. Can you tell the committee the amount expended for informants during fiscal years 1974 and 1975, and what is projected for expenditure in fiscal year 1976?

Mr. DAVIS. We may have to rely on our memory a little bit in this instance.

Senator MONTROYA. Give me your estimate, and then you can submit for the record the exact figures as a correction.

Mr. DAVIS. Yes. We would be very happy to provide that for the record, if we may. We don't have the figures in mind at the moment.

Senator MONTROYA. Do you use quite a bit of money?

Mr. DAVIS. Yes, sir. This is going to be a rough estimate. I will rely on Mr. Keathley to correct me if I am off base.

Senator MONTROYA. Why don't you have him testify on that?

Mr. DAVIS. About \$500,000, I think, is the total amount that we have used on the purchase of evidence. It would be within that area.

[The information follows:]

The amount of money used in the purchase of evidence during Fiscal Year 1975 was \$650,320.00.

Senator MONTROYA. Under what item is this in the budget request?

Mr. DAVIS. It would be included in the category of Firearms and Explosives. It would be included within that general area.

NUMBER OF INFORMANTS COMPENSATED

Senator MONTROYA. Would you also place in the record the number of individuals who have received compensation, informants; not the names, but the number?

Mr. DAVIS. Yes, sir.

[The information follows:]

In Fiscal Year 1975, there were 934 persons who received compensation from ATF in the amount of \$50 or more as informants.

The expenditure of these funds is carried in our appropriations figures as Subject Code 2512, "Expenses Incident to Securing Evidence."

ADVANCE NOTICE OF PRESIDENTIAL VISITS

Senator MONTROYA. Are your resident agents informed in advance of Presidential visits to their respective cities and informed of problems which may be presented?

Mr. DAVIS. Sir, I don't know that there is a formal procedure to inform either our special agents in charge or resident agents in charge of an impending visit unless, of course, the personnel of that office are to be used specifically to assist the Secret Service. However, I think that they certainly receive that information.

Senator MONTROYA. Do you know whether or not your agents have been called upon by the Secret Service to assist during a Presidential visit?

Mr. DAVIS. Yes, sir. They have in the past, and at least I believe the plans are that they will be in the future.

SPECIAL TRAINING GIVEN TO ATF AGENTS

Senator MONTROYA. I believe you stated that all of your agents are trained in these procedures that might be resorted to for the protection of the President?

Mr. DAVIS. Yes, sir. They receive actually the training in the Federal Law Enforcement Training Center, and then there is additional training that is provided by Secret Service instructors.

We have, I think, trained a large number of them in this fashion just within the last 2 or 3 months in anticipation of assisting the Secret Service in the coming year.

Senator MONTROYA. Specifically, were your agents in Sacramento and San Francisco alerted to the visits of the President, and did they assist in providing intelligence information and other security information for these visits?

Mr. DAVIS. I am certain they were aware of the visits. Again, I am not certain that this was a formal procedure, and certainly they would have immediately transmitted any information to the Secret Service that they would have received in those areas.

OTHER AGENCIES' KNOWLEDGE OF MRS. MOORE

Senator MONTROYA. Did your agents or anyone in your Bureau notify either the FBI or the Secret Service that you had hired Mrs. Moore as an informant on September 21?

Mr. DAVIS. Sir, if I may say that we did not hire Mrs. Moore, that she—

Senator MONTROYA. Let us say you recruited her.

Mr. DAVIS. All right, sir. We made use of her through the auspices of the San Francisco Police Department.

I might say, Mr. Chairman, that Mrs. Moore wasn't even aware that this individual was an ATF undercover agent. The San Francisco Police—she didn't ask, but the impression left by the San Francisco Police was that he was a police officer. She was not even aware that this individual was an ATF undercover agent.

Senator MONTROYA. Yes. But I am merely asking you that since he was an ATF agent, did he report the presence or the relationship between Mrs. Moore and your Bureau to the Secret Service, to the FBI or to any other Government agency?

Mr. DAVIS. No, sir. When our agent returned after accompanying Mrs. Moore to the place where she had previously bought the firearm, he did indicate to the San Francisco police officer who he was working with that he was concerned that she was going to Stanford University in Palo Alto, and that she also had been known to have purchased a gun.

At that point the San Francisco police officer indicated—I should say our agent indicated—that this is something the Secret Service should know.

The San Francisco police officer said that the Secret Service was already aware of the fact; that they had been provided pictures and so forth, so that our agent did not pursue that matter any further.

Senator MONTROYA. But you did not verify whether in truth or fact the San Francisco Police Department had advised the Secret Service?

Mr. DAVIS. No, sir.

Senator MONTROYA. Don't you think that you should have on your own advised the Secret Service?

Mr. DAVIS. Yes, sir. I would say that we would have preferred that our agent had followed that course rather than relying on the fact that they had been, or that the information was provided by the police officer.

ATF INTEREST IN MRS. MOORE

Senator MONTROYA. What was your interest in trying to use Mrs. Moore vis-a-vis the gun dealer?

Mr. DAVIS. We had before the contact with Mrs. Moore indications that there was a possibility that the individual in question might be dealing in firearms in violation of Federal law and by reason of the fact that he did not have a Federal license. So when the opportunity arose to use Mrs. Moore as an entree to the individual, then we did take advantage of it.

Senator MONTROYA. Did you have in mind any particular firearms in any particular trafficking?

Mr. DAVIS. No, sir, only the general activity of the individual to determine whether or not that activity did constitute violation of Federal law.

Senator MONTROYA. Did she turn out to be helpful?

Mr. DAVIS. Yes, sir, I would say so. She did introduce the undercover agent. He did have conversations and so forth.

Senator MONTROYA. Did you learn more from her other than just the actual purchase that she made?

Mr. DAVIS. Yes, sir, I think the contact made by the ATF undercover agent was of value aside from Mrs. Moore's activities. It was of value in our investigation of that individual.

GUN PURCHASE BY MRS. MOORE

Senator MONTROYA. Did she purchase the gun at your request?

Mr. DAVIS. No, sir, she has never purchased a gun at the request of the Bureau of Alcohol, Tobacco and Firearms.

Senator MONTROYA. I mean at the request of one of your agents?

Mr. DAVIS. No, sir, she has never purchased a gun at the request of the agents.

Senator MONTROYA. Did you know that she was going to purchase a gun?

Mr. DAVIS. No, sir, we knew that she had purchased a gun previously to the visit to the dealer, and we had no indication whatever that she would purchase another gun.

Senator MONTROYA. Did it occur to any of your agents or to your Bureau that the fact that she did purchase a gun without any request from you might have created a strange situation which you might wish to communicate to the Secret Service?

Mr. DAVIS. I think here the sort of chronology of events is somewhat important because the undercover agent who accompanied Mrs. Moore to the individual in question on the Sunday morning, at that time, it was known that she had in her possession or had previously purchased a gun.

It was only later during that day—I don't know the exact time—when the San Francisco Police arrested Mrs. Moore and removed the gun from her possession.

So that at that time, of course, there would be no reason for our agent to believe that she was interested in buying another gun.

I may say nothing that she did during the visit to the individual's premises indicated in any way that she would buy another gun.

Senator MONTROYA. But she did.

Mr. DAVIS. She did on the following morning.

Senator MONTROYA. What morning was that?

Mr. DAVIS. That would be the morning of the 22nd.

Senator MONTROYA. Subsequent to the purchase of that gun and in the presence of one of your agents, she made known that she wanted to go to Palo Alto, to Stanford. That is your testimony?

Mr. DAVIS. Yes, sir, although I might say, Mr. Chairman, that I am not certain that she indicated this directly to our agent. In other words, her contacts with the San Francisco Police Department and so forth I think have indicated both that she had made some statements about being interested in going to Palo Alto and, of course, the fact that it was known that she had purchased a gun.

Senator MONTROYA. Did you not state that one of your agents communicated this information to the San Francisco Police Department?

Mr. DAVIS. No, sir. He merely commented to one of the San Francisco police officers his general concern that she was intent on going to Palo Alto and, of course, the knowledge, the general knowledge that she had previously purchased a gun.

ATF REACTION TO MRS. MOORE

Senator MONTROYA. What did that trigger in the mind of the particular agent? She had a gun in her pocket, and she was going to Palo Alto, and the President was going to appear in Palo Alto that afternoon. What did that trigger in the agent's mind? Has he told you?

Mr. DAVIS. He was concerned that she was. He expressed that concern to the San Francisco police officer and indicated that the Secret Service should be apprised.

At that point the San Francisco police officer indicated that they had advised Secret Service of this fact and to the fact that they had even provided pictures of Mrs. Moore. So, therefore, the agent's, properly or improperly, concern was allayed to the point that he did not—as I have indicated, maybe improperly—did not go ahead and make a direct contact with the Secret Service.

Senator MONTROYA. So it is your testimony that your agent did not ask her to buy the gun, that he merely accompanied her because he wanted to get acquainted with the operation of this gun dealer and that she did buy the gun without his solicitation or request?

Mr. DAVIS. Yes, sir. Certainly without any knowledge or even any indication that she planned to buy a gun at a later time.

As I have indicated, at the time of the visit, it was acknowledged that she had previously bought a gun. I might say that she even paid for the gun at that time. So that there was no indication at all that she would at that point in time desire to buy another gun.

SECRET SERVICE ALERTED ABOUT MRS. MOORE

Senator MONTROYA. Did the Secret Service request any information from your Bureau about Mrs. Moore prior to the assassination attempt?

Mr. DAVIS. No, sir.

Senator MONTROYA. Your Bureau relied strictly on the assurance of the San Francisco Police Department that they had communicated these incidents about Mrs. Moore and her relationship with your agent to the Secret Service?

Mr. DAVIS. Yes, sir.

MOORE INVOLVEMENT IN HARRIS-HEARST CASE

Senator MONTROYA. I read in the press that the FBI, when they arrested Miss Hearst and the Harris couple, found a large number of guns in their apartment. Has ATF been asked to trace any of these guns?

Mr. DAVIS. No, sir.

Senator MONTROYA. Do you have any evidence that Mrs. Moore supplied some of these guns?

Mr. DAVIS. No, sir.

INITIAL ATF INTEREST IN MRS. MOORE

Senator MONTROYA. What triggered the concern for this particular gun dealer and the eventual association with Mrs. Moore to try to ascertain what he was up to?

Mr. DAVIS. To the best of my information, I can give it to you very specifically. I do know that the individual that sold the gun to Mrs. Moore came to our attention in late August. In the latter part of August 1975, an FBI agent passed on information to ATF that the named individual was dealing in guns.

So we at that point in time made a preliminary investigation, but our information was so incomplete that we did not even keep it as an open investigation. But that is the reason why the individual came to our attention, and why, when we were advised by the San Francisco Police that Mrs. Moore could be helpful, we took advantage of that opportunity.

Senator MONTROYA. Thank you very much, Mr. Davis. I think you have been very helpful and very frank, and I commend you.

Mr. DAVIS. Thank you, Mr. Chairman.

Senator MONTROYA. Senator Young, do you have any questions?

REASONS FOR USE OF MRS. MOORE

Senator YOUNG. Yes.

You retained Mrs. Moore as an informant, didn't you?

Mr. DAVIS. No, sir, as I have indicated, we had only one contact with Mrs. Moore which was on Sunday the 21st, and only for the time period that it involved going to this individual's premises that had sold her the gun previously and the duration of that visit and then return. She has never been under any form of compensation by ATF. So that that is the only contact. I would assume or estimate that contact was for a period of 2 or 3 hours.

As I have indicated, also, Mrs. Moore was not even aware that the person who accompanied her was an employee of the Bureau of Alcohol, Tobacco, and Firearms.

Senator YOUNG. For what purpose did the San Francisco Police recommend her to you?

Mr. DAVIS. We have a very close working relationship with the San Francisco Police Department, and, of course, they are aware of our interest in violations of Federal Firearms laws.

In their dealing with Mrs. Moore, apparently she indicated to them that she had purchased firearms from this individual and would be willing to take somebody there for the purpose of investigating his activities.

Senator YOUNG. Did you ask the San Francisco Police if they had a file on her?

Mr. DAVIS. Sir, I am not certain of that. But I would assume the agents, that they contacted, the ATF agents, would inquire as to her background and so forth, to determine her credibility or reliability. But I can't specifically reply to that question.

Senator YOUNG. Apparently she had a mental problem going back 30 or 40 years, according to The Washington Star story 2 days ago.

Mr. DAVIS. Yes, sir. I am reasonably certain that neither the San Francisco Police nor the ATF were aware of the incident that occurred at that time.

MRS. MOORE UNNOTICED IN SMALL CROWD

Senator YOUNG. It is very difficult for me to understand why a person like Mrs. Moore would be in that small crowd in front of the St. Francis Hotel without the Secret Service or you or anyone else knowing about it.

It is difficult for me to understand how a person like Mrs. Moore wouldn't be considered a risk.

Mr. DAVIS. I have no response to that, Senator.

Senator MONTOYA. Senator Eagleton?

TRAINING GIVEN TO UNDERCOVER ATF AGENTS

Senator EAGLETON. Thank you, Mr. Chairman. I have a couple of questions.

First, Mr. Davis, does an undercover agent go through the same training routine as a regular, identifiable agent?

Mr. DAVIS. Yes, sir, he goes through all of the training that a regular agent goes through. In addition to that, we do have undercover schools. I am not sure whether this particular agent went through one of these schools. But it is designed to give him special abilities in the undercover capacity.

Senator EAGLETON. How many months or years has this undercover agent been on the payroll of the ATF?

Mr. DAVIS. Senator, I don't know as to this particular undercover agent, but I would be happy to provide that information for the record.

[The information follows:]

Special Agent Charles Galyan entered on duty with ATF on June 14, 1971.

Senator EAGLETON. Do you know whether he is a recent hiree or employee of the ATF, or has he been with your agency more than just a short period of time?

Mr. DAVIS. He would be what we would describe as a journeyman agent; in other words, that he has received all the training that we feel he needs to be capable of operating at the full operating level.

ATF INTERVIEW WITH UNDERCOVER AGENT

Senator EAGLETON. Have you personally talked with or interviewed this undercover agent since the events of September 22?

Mr. DAVIS. No, sir. I haven't, although I have the advantage of all of the statements that he has made to other organizations as well as to us.

Senator EAGLETON. Has the gentleman accompanying you at the table interviewed personally this undercover agent since September 22?

Mr. KEATHLEY. No, sir.

Senator EAGLETON. Has the undercover agent come to Washington, D.C., since September 22?

Mr. DAVIS. No, sir.

Senator EAGLETON. What is your name and title, sir?

Mr. KEATHLEY. My name is Miles Keathley, Deputy Assistant Director, Criminal Enforcement.

Senator EAGLETON. ATF?

Mr. KEATHLEY. Yes, sir.

Senator EAGLETON. Have either of you talked by long distance telephone with this undercover agent since September 22?

Mr. DAVIS. I haven't, Senator.

Mr. KEATHLEY. I have not, sir.

Senator EAGLETON. To your knowledge, has anybody in Washington in your Bureau bothered to talk with this gentleman at all?

Mr. KEATHLEY. We have talked to his supervisors.

Senator EAGLETON. The supervisors in California?

Mr. KEATHLEY. Yes, sir.

Senator EAGLETON. Since this matter is of some significance, don't you think it would be useful if the higher echelon, at least the top echelon of the ATF, talked with the agent who had the direct contact with Mrs. Moore?

Mr. DAVIS. Sir, if I may answer that, of course we have been in almost constant communication with our officials on the West Coast. As I have indicated, I have a file here which has comprehensive statements from the agent in charge, I mean the undercover agent, which I think—this one consists of five pages.

Again, I think it is important to note that the contact with Mrs. Moore was of such short duration that I think this five-page statement very adequately covers all aspects of that relationship with Mrs. Moore.

INVOLVEMENT OF INSPECTOR O'SHEA

Senator EAGLETON. What was the name of the police officer with whom the undercover agent had this telephone conversation?

Mr. DAVIS. The police officer that was principally involved in arranging the contact with Mrs. Moore was the San Francisco Police Department Inspector O'Shea. I want to be completely responsive.

Senator EAGLETON. Was it O'Shea who made the original outgoing call from the San Francisco Police Department to ATF?

Mr. DAVIS. Yes, sir, it was Inspector O'Shea. He did contact in this case our resident agent in charge.

Senator EAGLETON. Was the return call, so to speak, the call from the undercover agent to the San Francisco Police Department, made by the agent back to O'Shea?

Mr. DAVIS. Sir, there was a meeting arranged between the ATF representatives and actually two inspectors, Inspector O'Shea and Inspector Jim Molinari.

MEETING BETWEEN ATF AND S.F. POLICE DEPARTMENT

Senator EAGLETON. So this is a meeting between O'Shea and Molinari, the two San Francisco Police Department men, and the undercover agent, as well as another ATF man?

Mr. DAVIS. Yes, sir, there were actually our resident agent in charge, Mr. Beleckey and special agent Hendricks.

Senator EAGLETON. Is that an ATF man?

Mr. DAVIS. Yes, sir.

Senator EAGLETON. The undercover fellow?

Mr. DAVIS. The undercover agent's name—

Senator EAGLETON. I don't want his name, unless you want to make it a part of the record. He will no longer be an undercover agent

in San Francisco. It wouldn't destroy his usefulness elsewhere necessarily.

Mr. DAVIS. No. Actually, the name, I see nothing wrong with providing it for the record because the undercover agents use assumed names and identification. I think it may be it has been revealed. It is Charles W. Galyan, G-a-l-y-a-n.

Senator EAGLETON. So Beleckey, Hendricks, and Galyan are identified as the undercover agents who met with O'Shea and Molinari on Sunday, September 21?

Mr. DAVIS. Yes, sir, at 8:30 a.m.

Senator EAGLETON. Where was the meeting held?

Mr. DAVIS. It was at the San Francisco Police Department.

Senator EAGLETON. Are any of these gentlemen in Washington, D.C., at the present time, Beleckey, Hendricks, or Galyan?

Mr. DAVIS. No, sir.

Senator EAGLETON. It was held at 8:30 a.m., at the San Francisco Police Department?

Mr. DAVIS. Right.

Senator EAGLETON. The only thing I am interested in at this particular time is what information, if any, the ATF, the three agents, imparted to O'Shea and Molinari.

Let me get at it this way: Who was the principal spokesman on behalf of the ATF at this meeting?

Mr. DAVIS. At this meeting, it would have been Mr. Beleckey.

Senator EAGLETON. From your report, did he do the predominant amount of talking insofar as the ATF side was concerned?

Mr. DAVIS. Yes, sir, I would assume so.

Senator EAGLETON. What did Mr. Beleckey impart to O'Shea about Mrs. Moore? I am only interested in Mrs. Moore.

Mr. DAVIS. Actually, since the information concerning Mrs. Moore was imparted by the San Francisco police officer to our ATF representatives, since in effect—

Senator EAGLETON. Did this meeting take place before undercover Agent Galyan and Mrs. Moore went out to see the gun dealer?

Mr. DAVIS. Yes, sir, this was in fact—Mrs. Moore was not present.

Senator EAGLETON. I am not interested in that conversation at all, so I want to get to the point in time after the visit to the gun dealer. What agent called what police officer?

Mr. DAVIS. All five of these individuals had contacted Mrs. Moore at another location other than the San Francisco—they had a meeting.

Senator EAGLETON. All five of these agents we have mentioned, Beleckey, Hendricks, Galyan from the ATF, O'Shea and Molinari from the police department, they met again after the visit to the gun dealer?

Mr. DAVIS. No, sir, to set up the arrangements, they met in the San Francisco Police Department. Then Inspector O'Shea contacted Mrs. Moore and set up a subsequent meeting with her where obviously further discussions were taking place.

Senator EAGLETON. Who was at that meeting? Mrs. Moore was there?

Mr. DAVIS. She joined them.

Senator EAGLETON. O'Shea was there?

Mr. DAVIS. Yes, sir.

Senator EAGLETON. Who for ATF?

Mr. DAVIS. The same three individuals.

Senator EAGLETON. This is all still prior to going to the gun dealer?

Mr. DAVIS. Yes, sir. At that point in time, they previously decided that Agent Galyan would accompany her to the dealer; so he did. The other two ATF agents and the two San Francisco Police Department officers were in effect to cover the operation.

Senator EAGLETON. What does that mean, "to cover"?

Mr. DAVIS. That means to provide surveillance of the premises from a distance in case there was trouble or something else occurred, to cover the undercover agent.

Senator EAGLETON. Otherwise known as a stakeout?

Mr. DAVIS. Yes, sir.

Senator EAGLETON. Go ahead.

Mr. DAVIS. Then after the activities had occurred at the premises of the individual, they all left. They met at a post office in this city.

Senator EAGLETON. Who is they?

Mr. DAVIS. The same five officers, plus Mrs. Moore.

At that point in time, the group broke up. Inspector O'Shea talked privately with the informant. Of course, I obviously don't know what the conversation was.

Senator EAGLETON. O'Shea talked privately with Mrs. Moore?

Mr. DAVIS. Mrs. Moore. Then the two San Francisco Police Department officers went their way, and the three ATF agents went their way. As the undercover agent indicated, Agent Galyan proceeded to his residence.

Senator EAGLETON. When was it that Galyan imparted information to O'Shea about Mrs. Moore insofar as Palo Alto?

Mr. DAVIS. I can, if I may, read directly from his statement.

Senator EAGLETON. Fine.

Mr. DAVIS. "Because of previously mentioned statements made by Inspector O'Shea at the Police Department about someone going to Stanford to pick her out of the crowd for the Secret Service, Inspector Molinari informed me that the Secret Service had been advised of who she was, the exact location where she was going to be and that photos had been made available to the Secret Service. He advised me there was no problem and everything had been taken care of."

Senator EAGLETON. Is that the only verbal exchange by Galyan and O'Shea concerning Mrs. Moore?

Mr. DAVIS. This was to Inspector Molinari who was with the SFPD.

Senator EAGLETON. I thought from your previous testimony that it was Galyan, the undercover agent, who was apprehensive about Mrs. Moore and expressed his apprehension to O'Shea.

Mr. DAVIS. Again, this is Galyan's statement and this is his statement: "Again, because of previously mentioned statements made by Inspector O'Shea at the Police Department about Sara Jane Moore, I expressed my concern to Inspector Molinari about someone going to Stanford to pick her out of the crowd for the Secret Service."

So he had based on previous statements that had been made at the police department concerning her. Then our agents said that somebody in effect should go to Stanford that knew her by sight to help pick her out of the crowd for the Secret Service.

Senator EAGLETON. So it was Galyan and Molinari who had the conversation?

Mr. DAVIS. Yes.

Senator EAGLETON. It was very clear in Galyan's mind that going to Palo Alto or to Stanford was casually connected with the Presidential visit that was to take place?

Mr. DAVIS. True.

Senator EAGLETON. If Galyan having accompanied Mrs. Moore to the gun dealer, knowing about her possession of the gun, expressed his apprehension about this woman being present at the time of the President's visit, and we all benefitted with 20-20 hindsight, Galyan, in your mind, should have passed this information directly to the Secret Service, to the agency which is primarily in charge of Presidential protection?

Mr. DAVIS. Yes, sir. If I can, I would like to say for the record—we have so informed the Secret Service and so advised them—there was nothing in the behavior of Mrs. Moore during the time that Agent Galyan was with her in this contact that would cause him to believe that she was a particular threat to the President.

His concern was merely the fact that she had indicated she was going to Stanford, and it was known that she had purchased a gun and was armed. So beyond that, there was nothing specific in her behavior or anything she said that would lead him to believe that she was a particular threat to the President.

Senator EAGLETON. Galyan does not say that Mrs. Moore made any comment about President Ford at all?

Mr. DAVIS. Not during the contact.

Senator EAGLETON. Mrs. Moore related her intention to go to Stanford?

Mr. DAVIS. Apparently, she indicated that at a previous point in time, and it was discussed by the various police officers at the San Francisco Police Department.

Senator EAGLETON. Thank you, very much.

ILLEGAL DEALING IN FIREARMS

Senator YOUNG. Director Davis, may I ask a couple of questions? Could you have arrested Mr. Fernwood prior to the time he sold the first gun?

Mr. DAVIS. No, sir. We have not at this point in time arrested him. We have interviewed him at our office, and we do have an open investigation being conducted.

Senator YOUNG. Could you have arrested him after he sold the first gun or the second gun?

Mr. DAVIS. No, sir. Under the existing Federal law, you must establish that a person is engaging in a business of dealing in firearms before he has violated Federal law. In other words, casual sales do not constitute a violation of Federal law, per se.

So certainly, the one gun sold to Mrs. Moore would not in our view constitute a violation of Federal law. The second sale, of course, would have been additional evidence, but it is doubtful even then that a U.S. attorney would proceed with prosecution on that basis.

Senator YOUNG. Could the California authorities have arrested him after the second sale?

Mr. DAVIS. It would be highly speculative. I am not an expert on California law. It is my understanding, however, that at the time this transaction occurred, there was a 5-day waiting period in California, but that only applied to licensed dealers under California law.

So that again, since the individual was unlicensed, I would doubt that he would have or could have been prosecuted.

Senator YOUNG. It seems to me the sequence between the time of the sale of the first and the second gun that she had some purpose in mind for the gun.

Mr. DAVIS. Sir, of course, as you recall, the gun she first purchased had been taken away from her legally by the San Francisco Police Department and, of course, the avowed purpose for purchasing the first gun was that she wanted it for protection.

So under the circumstances, I doubt that there could have been a great deal of conclusion drawn from the fact that the first gun had been taken away from her and the fact that she immediately purchased another one. That is speculative on my part.

PROPOSED 14-DAY WAITING PERIOD

Senator YOUNG. Apparently President Ford himself is concerned about how often a person can buy a gun. Under his proposed legislation, a person would have to wait 14 days to buy another.

Mr. DAVIS. Yes, sir. The President's proposal would have a 14-day waiting period. It is my information that since these transactions and not necessarily because of it, that California law has now instituted a 15-day waiting period for the purchase of a handgun.

Senator YOUNG. It is difficult for me to understand how easily she could buy two guns and how easily she could be in a place where she could shoot the President.

ORIGIN OF .38-CALIBER PISTOL

Senator MONTROYA. Mr. Davis, just one more question. The .38-caliber pistol which Mrs. Moore purchased on Monday, have you traced its origin, where she purchased it?

Mr. DAVIS. Yes, sir, we have traced that weapon. Let me say, it is, of course, part of our investigation. However, I would not guess—I would know—it would also be a part of the active investigation being conducted by the Federal Bureau of Investigation.

Senator MONTROYA. You don't have to tell me to where, but you have traced it?

Mr. DAVIS. Yes, sir.

Senator MONTROYA. Did any of your agents have anything to do with this gun prior to use of it?

Mr. DAVIS. No, sir. There has been a lot of publicity about that. When our agent went to this—I guess now his name is on the record—Mr. Fernwood's residence, he indicated an interest in purchasing a firearm.

At that point in time, Mr. Fernwood displayed several handguns to the agent. In other words, an offering of several handguns. The agent, I might say very deliberately, said he wanted a gun that was not there because of other considerations.

Whether or not the .38-caliber revolver that was purchased by Mrs. Moore on Monday was among those that was displayed to our agent, of course, we have no way of knowing. It could well have been displayed, but if it was displayed, it was done in a group and without any specific reference or anything of this kind.

Senator MONTROYA. Who was with Mrs. Moore when she visited the gun dealer in the company of ATF personnel?

Mr. DAVIS. Special Agent Galyan.

Senator MONTROYA. Was he the only one?

Mr. DAVIS. Yes, sir. The other officers involved were at a distance and did not enter the premises.

Senator MONTROYA. The New York Times article alleged that the .38-caliber pistol was sold to the dealer by an ATF agent 3 months prior to this particular sale.

Mr. DAVIS. Sir, there is absolutely no truth in that statement.

Senator MONTROYA. That is all.

Thank you very much, gentlemen.

Mr. DAVIS. Thank you, very much.

NONDEPARTMENTAL WITNESSES

STATEMENT OF LT. JAMES A. RYAN, SAN FRANCISCO POLICE DEPARTMENT

Senator MONTROYA. Our next witness will be James A. Ryan, lieutenant, San Francisco Police Department.

We certainly want to thank you for making this long trip at the invitation of the subcommittee. We want to express our deep appreciation.

Lieutenant RYAN. I hope I can be of assistance, sir.

Senator MONTROYA. You may proceed, sir, with your statement.

Lieutenant RYAN. My name is James Ryan. I am a lieutenant in the San Francisco Police Department. I have been with that department for over 22 years.

The first 18 years I spent as a beat patrolman and as a patrol sergeant. The last 4 years as a lieutenant, I have been assigned to our bureau of inspectors, which in other cities would correspond to the detective bureau. The following is a statement that I wish to make:

As you know, the police department acts as a supplementary extension of the Secret Service when dealing with security measures involving heads of State visits.

This is a basic police mission—protection of life and property—and, of course, on an occasion such as this, it is done on an enlarged scale. The case I am referring to is the President's visit of Monday, September 22, in San Francisco.

Under the direction of my immediate superior, Chief of Inspectors Charles A. Barca, it was my function to coordinate the local security aspects of the visit. This entailed the attending of several preliminary security conferences.

The first meeting attended by representatives from all police agencies involved: California Highway Patrol, Secret Service, San Mateo County Sheriff's Office, San Francisco Police Department and airport police. This meeting was held on Wednesday, September 17, at the Hall of Justice.

This meeting was chaired by Secret Service Special Agent, Bob Caughey, who did the advance security on the Presidential visit. These preliminary meetings serve the purpose of designating counterparts within the different agencies.

By that I mean certain people are designated to work in unison with the Secret Service agents involved in various security areas. In subsequent meetings, these different areas of security are discussed on a more specific basis.

That is, internal security within the hotel is defined, static posts pinpointed, motorcade route is selected, provisions for traffic control are made, requirements as to numbers of patrol force are determined, on-site inspection of areas that were to be visited by the President are made in order to anticipate any problems that might occur.

In this instance, I am referring to local police problems: crowd control, traffic movements, security check points, personnel assignments.

On this particular visit, the following local police personnel were involved: Internal Security, Hyatt Union Square Hotel required seven plain clothesmen to cover predetermined security posts. In addition, seven uniformed patrol personnel were used.

The foregoing personnel were acting under my supervision. Additionally, internal security at the St. Francis Hotel involved 12 plainclothesmen and 12 uniformed men. Total number of uniformed personnel used for crowd control and external security of the different hotels involved: 21 from Company A, which is the local police district where the two hotels are located; 50 men from Field Patrol Company; Traffic Control, solo motorcycles and fixed post required 27 uniformed men.

In addition, there were eight patrolmen detailed to the overpasses of the freeway on the approach to the city. Also used, at my request, were two men from the Hospital Psycho Detail whose function was to observe the crowd, being alert for any people whom they may have come into contact with during the course of their normal duties, people who made no direct threats to the President, but who could create problems of a nuisance nature.

Individuals that I am speaking of are persons that the hospital detail deal with daily, such as alcoholics who have deteriorated to the point of almost constant mental confusion, addicts in the same circumstances, and those people who are just not wrapped too tightly.

The Patrol Division was positioned facing the crowd, which had gathered to view the President. They were augmented by Secret Service agents along with plainclothesmen who had been relieved of internal security details. The total police manpower used, including uniformed and plainclothesmen, amounted to 130 men, involved directly.

Another 12 to 15 peripheral people, that is, intelligence, rooftop security communications, were used. Because of financial restrictions, and a severe manpower shortage that exists in my department (presently over 200 men short), in light of these considerations, I would consider this maximum deployment on the part of my Department. The auxiliary security and traffic control provided in my opinion were adequate and effective.

That is the end of my statement.

OTHER POSSIBLE PROTECTIVE MEASURES

Senator MONTROYA. If the present financial restrictions and manpower shortage which you mentioned did not exist in your department, what additional elements could have contributed toward effecting a maximum protective effort?

Lieutenant RYAN. The only other step we could have taken would have been to restrict pedestrian traffic throughout the entire area surrounding the hotel.

Senator MONTROYA. Would you have given that advice had you had the manpower? Or did you indeed give that advice?

Lieutenant RYAN. Originally, it was my suggestion after an experience that we had when the President visited our city in March, and I believe I don't say this was entirely my original thought, although it occurred to me several weeks prior to recently, and I think we jointly agreed with agents of the Secret Service and the District Station Commander that on this occasion we would not allow pedestrian traffic or crowds to congregate on the Post Street side of the hotel, adjacent to the hotel entrance. We restricted the crowd to the far side of the street.

Senator MONTROYA. Did the crowd penetrate to the other side?

Lieutenant RYAN. No, sir, they did not.

Senator MONTROYA. So you would not have provided additional bodies, just different techniques or other measures? That is about it, isn't it?

Lieutenant RYAN. Yes. In the circumstance that we did have a full complement of men, I would say without seriously depleting the manpower in the district stations, it is possible we could have provided perhaps another 50 men.

This still, I might say, would not provide you with shoulder-to-shoulder coverage along the crowded frontage. As it was, I would say those men were spaced probably somewhere around eight to 10 feet apart.

In order to make that a shoulder-to-shoulder arrangement, it would, as you could see, require quite a number of additional men.

Senator MONTROYA. You received a briefing from the Secret Service, and in turn you imparted to the Secret Service and other Federal agencies recommendations for protective measures to be undertaken in behalf of the President. Would you, in light of the recent experience, have added, or would you add in the future other recommendations?

UNIFORMED VIS-À-VIS PLAINCLOTHES PERSONNEL

Lieutenant RYAN. Perhaps. What those would be, I really couldn't tell right offhand, except that I mentioned before, if it were feasible to control pedestrian traffic in the entire block, both sides of the street, and immediately adjacent to the hotel entrance, that on our part would require more manpower. I wouldn't see any requirement for any additional Secret Service people. In my opinion, uniform people are more effective in this function than the plainclothes people are.

Senator MONTROYA. Why do you say that?

Lieutenant RYAN. They are visible where plainclothes people are not; even though they are identified by a certain ID marking, they don't in my opinion connote the police image that a police uniform does.

EARLIER DISCUSSIONS ABOUT MRS. MOORE

Senator MONTROYA. Were you aware of the communications that took place between the Alcohol, Tobacco, and Firearms Bureau of the Treasury, the Secret Service and the San Francisco Police Department with respect to Mrs. Moore?

Lieutenant RYAN. No, sir, not until the following morning, the morning after the incident.

Senator MONTONA. Senator Bellmon, do you have any questions?

SPECIAL PROTECTIVE TRAINING

Senator BELLMON. Thank you, Mr. Chairman. I have only two brief ones.

Lieutenant RYAN, in connection with your work in the San Francisco Police Department, have you ever received any training in the skill of protecting people?

Lieutenant RYAN. Yes, sir, I have.

Senator BELLMON. Do you give that kind of training to your own force?

Lieutenant RYAN. Yes, to the very select few, people who are attached directly to my detail. Also, there is a cadre of men from other details within the Bureau, robbery detail, burglary detail, whatever, that have attended a similar type offered by the State of California in Sacramento.

These people are used when a particular assignment comes along, such as this one, where we require more men that are assigned directly to my detail.

Senator BELLMON. So these people you had assigned to watch the President were more or less professionals in the area of providing protection?

Lieutenant RYAN. I would consider them professional policemen, yes, sir.

Senator BELLMON. Would you happen to know whether this is the case with other police departments in our larger cities? Did they provide training for their people in the area of protection?

Lieutenant RYAN. Presently, here in Washington, there is a training course offered jointly by the Secret Service and the FBI, which I attended in June, that is a 2-week seminar on dignitary protection.

Senator BELLMON. Do you consider that training or instruction you received at the school to be effective, or was it good or indifferent? How would you classify it?

Lieutenant RYAN. The word I would use is valuable.

Senator BELLMON. It was valuable?

Lieutenant RYAN. Yes, sir.

VIOLATION CONSIDERED A MISDEMEANOR OFFENSE

Senator BELLMON. I realize you are not a lawyer and perhaps this isn't a fair question, but of what you know of the situation, do you feel that Mrs. Moore was in violation of the California Firearms Act in any way?

Lieutenant RYAN. In violation? Yes, she was. She was cited for that violation, which under our law recently became a citable offense. It is a misdemeanor offense.

The department procedure sometime ago was changed whereby it is no longer necessary to make a physical booking on all people charged with misdemeanor crimes.

As a matter of fact, we are limited to bookings on very few occasions where there is only a misdemeanor involved. This is one of those occasions where it would be not even an iffy situation. It would be an almost mandatory citation offense, rather than a physical booking offense.

Senator BELLMON. So you really didn't have any precedent for detaining her just because she was in violation of the Firearms Act? Is that what you are saying?

Lieutenant RYAN. Yes, sir. That is exactly what I am saying.

LAW'S EFFECT ON NON-LICENSED DEALERS

Senator BELLMON. What about the dealer who sold the firearms to her?

Lieutenant RYAN. Under our law he is an individual. He is not a registered or a licensed firearms dealer. Thereby, if he sells a firearm to another individual, the only requirement under California law is that he must know that individual and there is no definite time period involved.

It could be an acquaintanceship of 5 nights. It could be a long-term friendship involved. So it is very, very vague as far as the definition "must know," what it really means. So in that context when he sells a firearm to another individual, for all intents and purposes all he is doing is selling another piece of property.

NEED FOR A NEW FIREARMS CONTROL LAW

Senator BELLMON. Do you have an opinion about whether or not we need different national firearms control laws?

Lieutenant RYAN. Yes, I do.

Senator BELLMON. Would you care to share your opinion with the subcommittee?

Lieutenant RYAN. To be feasible without a compromise gun law to me is completely unworkable. In my opinion, it would have to be a blanket, uniform ordinance or statute where handguns are restricted to people that are employed in law enforcement, with no exceptions made.

Senator BELLMON. What impact do you feel this would have? Would you then be able to deny handguns to people like Mrs. Moore?

Lieutenant RYAN. I believe we could, yes.

PRIVATE OWNERSHIP OF HANDGUNS

Lieutenant RYAN. I don't believe any individual should own a handgun. In our police experience, I think owners of handguns, even in their own residences, who maintain they keep these things for personal protection, if we could research cases around these sorts of things, I am sure we would find that in the majority of cases those people have been injured or killed because they did have a handgun. A burglar entered their premises unarmed, became armed and, as a result, injured the owner of the handgun.

APPRAISAL OF SECRET SERVICE'S PERFORMANCE

Senator BELLMON. In your work with the Secret Service, in this recent visit as well as other experiences you have had with them, how would you characterize their work?

First, are they adequately staffed and funded? This subcommittee has the responsibility for providing support for the Secret Service. Do you feel we have given them adequate support based on your experience with them?

Lieutenant RYAN. As far as the number of personnel goes?

Senator BELLMON. Yes, and the equipment that they have?

Lieutenant RYAN. What I see of personnel of the Secret Service in San Francisco, a lot of them are not local people. They come and go from Washington and other areas for occasions like this.

So I really have no judgment to make on whether the local staffing of the Service is adequate. However, I would say that of the people that I have come in contact with in the Secret Service, I consider them of the highest professional caliber.

MAXIMUM DETENTION TIME POSSIBLE

Senator BELLMON. Just one final question. Back to Mrs. Moore for just a moment, what was the limit of the time you might have detained Mrs. Moore under your present law based on the misdemeanor she committed?

Lieutenant RYAN. If the decision were made to physically book this woman, rather than cite her, the maximum detention period, I would say, during the normal course of events would have amounted to perhaps 2 hours. That is if she were taken to a district station, relieved of the property of course, and physically booked, processed and then released on bail. This is a very good likelihood as this is a \$500 bailable offense, which would require her posting merely a \$50 bond. I am sure she would be ready and able to do that.

ASSIGNMENT OF INSPECTOR O'SHEA

Senator MONTROYA. Senator Eagleton?

Senator EAGLETON. Lieutenant Ryan, is Inspector O'Shea assigned to your unit?

Lieutenant RYAN. No, sir. He is not.

Senator EAGLETON. Hence, you have no supervision over O'Shea?

Lieutenant RYAN. No, sir.

PRIOR KNOWLEDGE OF MRS. MOORE

Senator EAGLETON. Had you, prior to the events of September 22, ever met or heard of Sara Moore?

Lieutenant RYAN. No, sir, I had not.

Senator EAGLETON. Thank you. That is all I have.

Senator MONTROYA. Thank you very much, Lieutenant Ryan.

STATEMENT OF JOHN T. O'SHEA, INSPECTOR, SAN FRANCISCO POLICE DEPARTMENT

Senator MONTROYA. Our next witness is Inspector John O'Shea, of the San Francisco police department. Inspector O'Shea was the police officer who knew Mrs. Moore as an informer for the department, and he identified her to the Secret Service as a potential threat to the life of the President.

Inspector O'Shea is here with us, and I want to welcome him before this subcommittee. Will you please give your full name, your years of experience as a law enforcement officer, and specifically your duties with the San Francisco police department.

Mr. O'SHEA. Yes, sir, my name is John T. O'Shea, O'S-h-e-a. I am an inspector, assigned to the bureau of inspectors, which is the detective bureau of the San Francisco Police Department.

I have been a member of the police department for 11½ years. I have been an inspector in the police department for the last 6 years, and those 6 years have been spent either directing, coordinating or participating in investigations.

The statement that I will read to you gentlemen is a copy of a report that I submitted to my immediate commanding officer regarding this case.

Senator MONTROYA. You may proceed, sir. Also, may I qualify this report for the record? Is this a report which was written in the ordinary course of business in the Police Department of San Francisco by you?

STATEMENT OF INSPECTOR O'SHEA

Mr. O'SHEA. Yes, sir; by me.

As an outgrowth of certain investigations conducted by this officer over the past nine months, I have been in contact with one Sara Jane Aalberg AKA Moore AKA Carmel, WFA 02/15/30.

At various times, this individual is alleged to have provided information about a left-oriented group to Federal and State authorities. Periodically from time to time, this individual has called and has provided information to this officer. However, such information was in the form of generalities and nothing that any affirmative police action could be focused on.

On Wednesday, September 17, 1975, subject called and stated she could introduce this officer or his agent to a person who could provide them with munitions of various types and of an illegal nature.

On Thursday, September 18, 1975, Mrs. Moore called again and canceled this offer.

On Saturday, September 20, this officer was informed that if I wanted to do the gun deal it would have to be Sunday, the 21st of September. In addition, Mrs. Moore stated that she might ask me to have her arrested as she was armed and intended to go to the protest rally at White Plaza, Stanford University, at 2 p.m. on Sunday, September 21, 1975.

This officer contacted Agent Lyman Schaeffer of the Alcohol, Tobacco, and Firearms unit in the San Francisco Bay Area, and arranged for one of their agents to accompany this subject to the introduction to said munitions supplier.

Additionally, the Federal Bureau of Investigation, Agent Hulse, was contacted regarding the possibility of an armed person at a protest rally with the President of the United States in attendance. Subsequently, this officer was put in touch with Agents Haskell and Yauger of the Secret Service and informed them of the conversation I had had.

On Sunday, September 21, 1975, at 8 a.m., this officer and Inspector James Molinari of the General Works Detail, along with the ATF agent, met the subject and subsequently followed the subject and said ATF agent along with two other surveilling ATF agents, to Danville, California, where said munitions dealer was introduced and contact made for future investigation by ATF.

This officer caused the subject to be picked up by officers of Mission Station and subsequently cited for carrying a concealed

weapon, to wit, a .44 Charter revolver. Secret Service agents Haskell and Yauger responded in the evening of the 21st and had subject in their office for further interrogation as to her intentions if she were to have attended said protest rally.

That concludes my statement.

CHRONOLOGY OF EVENTS

Senator MONTROYA. Let us follow this chronology of events in which you were involved, Inspector O'Shea.

On Saturday, Mrs. Moore contacted you?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. She told you that she was willing to go through again with her recommended visit to the gun dealer?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. And you in turn contacted an ATF Agent?

Mr. O'SHEA. That is correct.

Senator MONTROYA. What was his name?

Mr. O'SHEA. I contacted Agent Lyman Schaeffer.

Senator MONTROYA. What did you tell him during that conversation?

Mr. O'SHEA. I told Agent Schaeffer that I had this person, and I named her, Mrs. Moore, who said she could introduce us to a gun dealer, a man who was possibly selling guns, and at that time I said that she had described to me on the phone that when she was last there she saw from 100 to 125 rifles, from 15 to 25 handguns.

She said that one of the guns she believed to be a SWAT gun, which I rationalized to be an automatic weapon of some kind. I also told them that she had said to me that she might be going to the Stanford protest and might ask to have herself arrested, that she wanted to test the system to see if it worked equally for the left and for the right.

I said I did not know whether there was anything to this, but I said this could be another Squeaky Fromme.

Senator MONTROYA. Did you ask her to amplify the statement that she made that she was going there to test the system?

Mr. O'SHEA. When she first mentioned "test the system", it was in connection with the munitions dealer. She referred to him as being on the right, and the implication that I drew is that she wanted to test the system to see if the authorities of the law would prosecute and arrest on the right as well as on the left.

She again mentioned testing the system at Stanford and then immediately dropped the subject because I asked her, "Do you want to be arrested?"

Senator MONTROYA. What hour of day was this?

Mr. O'SHEA. This was Saturday afternoon, Senator. This was about—this had to be about 3:15 or 3:30.

Senator MONTROYA. What time did you call the ATF people about this?

Mr. O'SHEA. Immediately after that conversation with her, because I had informed her that I didn't know at that time if I could get an undercover-type officer. I said, "Call me back at 4:30 and I will be able to let you know."

Senator MONTROYA. Did you tell her that the undercover officer might be a man from ATF?

Mr. O'SHEA. At no time.

Senator MONTROYA. At what time did you again communicate with her?

Mr. O'SHEA. She called back at approximately 4:30. I advised her at that time that I had made arrangements, that I had another undercover man from the department—meaning the San Francisco Police Department—that I could introduce to her and that she might be able to take us to this dealer and introduce him.

At that point, I said, "We will have to meet someplace", and we discussed various places to meet. We picked a location and she asked me if I was known in that area. I said, "No, I don't think so." We agreed we would meet there the following morning.

Senator MONTROYA. Between 3:15 and 4:30 when you talked to Mrs. Moore again, did you in the meantime contact any Federal officer of the Secret Service or ATF and apprise him of the conversation that you had with her?

Mr. O'SHEA. Agent Schaeffer had called me back and said he had made arrangements to have three agents meet with me at my office at 8 to 8:30 the following morning. That would be Sunday.

Senator MONTROYA. And Schaeffer was with the—

Mr. O'SHEA. Alcohol, Tobacco, and Firearms.

Senator MONTROYA. ATF?

Mr. O'SHEA. Right.

Senator MONTROYA. Did he mention that he would have with him any agents of the Secret Service on the next morning?

Mr. O'SHEA. No, sir.

Senator MONTROYA. Did he mention that he had already contacted the Secret Service?

Mr. O'SHEA. No, sir.

INITIAL CONTACT WITH SECRET SERVICE

Senator MONTROYA. Did you contact the Secret Service at any time on Saturday and prior to the meeting on Sunday morning?

Mr. O'SHEA. I personally did not contact them. I was contacted by them. That occurred on the following way.

CONVERSATION WITH THE FBI

After talking to Agent Schaeffer from Alcohol, Tobacco, and Firearms, I called the local office of the Federal Bureau of Investigation, and I was interviewed there. I spoke to an agent there who informed me he was the Duty Agent.

Senator MONTROYA. What conversation did you have with the FBI agent and what was his name?

Mr. O'SHEA. His name was Hulse.

Senator MONTROYA. Give us the time, please.

Mr. O'SHEA. It was before 4 o'clock.

Senator MONTROYA. That was on Saturday?

Mr. O'SHEA. Yes. I advised Agent Hulse of the conversation I had had with Mrs. Moore. I advised him also of the fact that I believed she used to be an agent or special employee of some type with the Federal Bureau of Investigation.

Senator MONTROYA. Did you tell Agent Hulse that Mrs. Moore had related to you that she was armed and that she wanted to be incarcerated and also of her plan to go to Palo Alto on Sunday?

Mr. O'SHEA. I don't know whether I incorporated all of the things you say. I know I informed him that she said she was going to Stanford to test the system, and that general tone.

Senator MONTROYA. Did you tell the FBI agent that she was armed?

Mr. O'SHEA. I don't know; I don't recall.

Senator MONTROYA. Did you tell anybody else other than the people in ATF if you did then, too?

Mr. O'SHEA. I was contacted again by the FBI and was informed that Mrs. Moore had in fact provided information to them at one time but was no longer with them. At that time it was getting close to 5 o'clock.

I informed the agent. I said, "I am leaving and going home at 5 o'clock. I will leave you my home phone number." He said, "All right", and he took my home phone number and told me that I would be contacted by the Secret Service later that evening.

From that point, I phoned my immediate supervisor and informed him what had taken place and whom I had contacted.

Senator MONTROYA. Did you inform your immediate supervisor of the statement made by Mrs. Moore to you that she was armed and intended to go to Palo Alto the next day?

Mr. O'SHEA. I believe so.

Senator MONTROYA. But you are not sure that you did inform the FBI agents?

Mr. O'SHEA. I told them of the general conversation. I very well could have said that I am sure I mentioned the fact she was going down there, that she mentioned something about testing the system, and at the same time I could have said that she said she was armed. I could have said it. I am not positive I said it.

ASSESSMENT OF MRS. MOORE'S BEHAVIOR

Senator MONTROYA. Did you say to the FBI or to the ATF people or to the Secret Service at any time that Mrs. Moore may be another Squeaky Fromme?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. To whom did you say that?

Mr. O'SHEA. I believe I mentioned that to all three.

Senator MONTROYA. During what time did you mention it?

Mr. O'SHEA. This would be on Saturday.

Senator MONTROYA. On Saturday?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. What led you to believe that she might be another Squeaky Fromme?

Mr. O'SHEA. In my prior dealings with Mrs. Moore and conversations I had had with her, I just felt that, in my opinion, she had a need for publicity or that she wanted to be recognized and accepted. I did know that she had written several articles for an underground newspaper in the Bay Area that had been published in the past. I had knowledge of that.

I had only met Mrs. Moore face to face prior to this meeting on one other occasion.

Senator MONTROYA. But you mentioned what you thought might be her tendencies to representatives of the ATF, the Secret Service and the FBI?

Mr. O'SHEA. Yes, sir, I did. It was in the form of a conversation and my opinion of what I thought. I don't recall putting any specific emphasis on any one statement.

MEETINGS WITH FEDERAL OFFICERS

Senator MONTROYA. Tell me in point of time when you met with ATF and when you met with the FBI? You have already said it was 4:15 or thereabouts, when you met with the Secret Service on Saturday?

Mr. O'SHEA. Senator, I never met with any of those organizations. I had telephone conversations with them.

Senator MONTROYA. With whom in the Secret Service did you talk?

Mr. O'SHEA. I originally talked to Agent Haskell.

Senator MONTROYA. Did you at any time on Saturday talk to Agent Yauger?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. On Saturday?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. Did you relate anything to him about what you have been testifying with respect to Miss Fromme and the intended visit of Mrs. Moore to Palo Alto?

Mr. O'SHEA. I don't know whether I used those exact words to Yauger, but because I talked to Haskell, and it was as though Haskell had passed the phone to Yauger. I don't know whether I repeated.

Senator MONTROYA. What caused the conversation with Yauger, if you had already talked to Haskell?

Mr. O'SHEA. What took place was the fact that Agent Haskell indicated that they would probably interview Mrs. Moore Saturday. He also indicated, "I guess this will blow your gun deal." I said that yes, it will. I said, however, I would have her covered the next day, Sunday.

PHOTOGRAPHS OF MRS. MOORE

Then he said, "Do you have any pictures of Mrs. Moore available?" I said I did or I could get them. He asked me what time I got to work the next day. I told him I was going to meet the ATF people there in the morning.

I believe he indicated that he would stop by and get some pictures of Mrs. Moore. The conversation with Yauger went on to the fact that could Mrs. Moore be picked up, and that discussion didn't proceed. Then it went on to the fact that, well, after you release Mrs. Moore, contact us immediately. I agreed to that.

That was, I think, the basis of the conversation Saturday night. I am not certain at this point whether I received on Saturday night one or two telephone calls from the Secret Service at home.

Senator MONTROYA. Was there any call on Saturday from the Secret Service to the effect that they wanted her picked up and that you during that conversation told the Secret Service that they could then have a photograph of Mrs. Moore?

Mr. O'SHEA. No, it wasn't that they wanted to have her picked up. I had a photograph of Mrs. Moore, and I said I could get more.

Senator MONTOYA. To whom did you tell that?

Mr. O'SHEA. Agent Haskell.

Senator MONTOYA. Did they ask you for that photograph?

Mr. O'SHEA. They said they would be by my office the next morning, Sunday, and pick up those photographs.

Senator MONTOYA. Did they pick them up?

Mr. O'SHEA. No, sir.

Senator MONTOYA. They did not?

What time did Agent Haskell and Yauger get in touch with you on Saturday?

Mr. O'SHEA. I think it was 7 o'clock, but I am not sure whether there were one or two phone calls on Saturday. If there were two phone calls, there was one at 7 and one at 9.

Senator MONTOYA. You were at home at that time?

Mr. O'SHEA. Yes, sir.

Senator MONTOYA. Did you have any concern about Mrs. Moore's plan to attend the Presidential visit to Palo Alto and the fact that she was carrying the gun?

Mr. O'SHEA. Yes, I did.

Senator MONTOYA. Did you alert anyone in the police department at Palo Alto?

Mr. O'SHEA. I alerted my immediate superior, Lieutenant White. I believe he took the steps on his own. I am not sure.

Senator MONTOYA. But you did tell him?

Mr. O'SHEA. Yes, sir. I told him at 5 o'clock Saturday night. I phoned him from the police office to his home.

Senator MONTOYA. What did the Secret Service agents tell you when you related to them that this woman was armed and that she intended to go to Palo Alto on Sunday?

Mr. O'SHEA. The conversation, as described previously, and then I think Agent Yauger said that we should have her picked up. Then I said we are going to cover her all the way tomorrow morning, and I will notify you as soon as she is released.

That was the impression, at the conclusion of that conversation, that I was left with, that we would proceed on Sunday morning as planned, and that when she was released I would contact them and notify them of the fact that she was released.

VISIT WITH GUN DEALER

Senator MONTOYA. Hadn't she arranged for a meeting with you and the ATF man so that she could visit the gun dealer?

Mr. O'SHEA. Yes, sir.

Senator MONTOYA. You did not tell her on Saturday or on Sunday morning that that visit was not possible?

Mr. O'SHEA. No, sir.

Senator MONTOYA. Because of the intervening concern of the Secret Service and your Department?

Mr. O'SHEA. No, sir.

Senator MONTOYA. You did go through that visit to the gun dealer?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. And you and another representative of the police department and two other agents were part of the entourage, so to speak, who witnessed Mrs. Moore's visit to the gun dealer?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. And only the man from ATF went in with her?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. You were in the vicinity trying to watch what was going on?

Mr. O'SHEA. Yes, sir. We had the building staked out from the north and south, and Inspector Molinari and I were directly across the street up on top of a hill, looking down.

Senator MONTROYA. At this point, do you know whether or not Mrs. Moore was carrying a gun?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. How did you know that?

Mr. O'SHEA. She told me.

Senator MONTROYA. Where did she tell you?

Mr. O'SHEA. When I met her that morning.

Senator MONTROYA. Did the other agents of the police department and the Secret Service talk to Mrs. Moore that morning?

Mr. O'SHEA. No, sir.

Senator MONTROYA. Were you the only one who talked to her other than the man who accompanied her from ATF?

Mr. O'SHEA. Inspector Molinari, I and the agent from ATF.

Senator MONTROYA. What conversation transpired when she told you that she was armed and she had that gun in her purse?

Mr. O'SHEA. She told me that she was armed. I had previously known, through another officer in my office, that she said she was armed because she had had threats to her life from members of the radical left. That is how she described it to this officer, saying that she went armed wherever she went.

Senator MONTROYA. Was she in violation of San Francisco law?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. You did not bother to cite her, or did you at that time?

Mr. O'SHEA. No, sir.

Senator MONTROYA. Why didn't you?

Mr. O'SHEA. We were going through with this introduction to this munitions dealer, and I didn't want to do anything to alert her to the fact that she was a target of a possible arrest also.

REACTION TO MRS. MOORE'S BEING ARMED

Senator MONTROYA. Did the Secret Service agents on this morning tell you or react to you with any concern about the fact that she was carrying a gun and intended to go to Palo Alto that afternoon to see the President?

Mr. O'SHEA. The Alcohol, Tobacco, and Firearms agents?

Senator MONTROYA. I am talking about either the ATF agent or the two Secret Service agents.

Mr. O'SHEA. No, sir.

Senator MONTROYA. They did not?

Mr. O'SHEA. No.

Senator MONTROYA. Did you again mention your concern to the agents that morning that she might be up to something if she was not kept under surveillance?

PHOTOGRAPHS OF MRS. MOORE

Mr. O'SHEA. I advised the three agents from Alcohol, Tobacco, and Firearms when they met with me in my office along with Inspector Molinari, and there was an additional inspector, Robert Huegle, present, that I had contacted the FBI and the Secret Service and I had related the general information of the conversation that I had had with her on Saturday.

At that time, I had had in my possession six wet photograph blow-ups of a driver's license photo of Mrs. Moore that I laid on the desk in the presence of the Alcohol, Tobacco, and Firearms agents, and I told Inspector Huegle who was remaining behind in that office, "If the Secret Service comes in for the pictures, those are the pictures; give them to him."

At that point, we left for the meeting with Mrs. Moore, made the initial arrangements and then proceeded on to the introduction to the gun supplier.

Senator MONTROYA. Had you expected the Secret Service to come in for those blown-up photographs of the driver's license.

Mr. O'SHEA. They said they would be in there in the morning to pick them up. I realized that they were very busy; they had a lot of leads to check out. They didn't nail down a specific time in the morning.

We had an inspector who was staying in the office and would be in the office all day. So I would normally proceed with the ATF men and keep the appointment I had with Mrs. Moore and go forward with that.

Senator MONTROYA. But those photographs were never picked up by the Secret Service?

Mr. O'SHEA. No, sir.

TIME OF MEETING WITH MRS. MOORE

Senator MONTROYA. At what hour did you meet the subject, and at what hour did you go to the gun dealer? Your statement, I believe, says that you met Mrs. Moore, at 8 o'clock on Sunday.

Mr. O'SHEA. At that time, we were in the office of the San Francisco Police Department. While we were there talking, Mrs Moore called. I advised her that we would meet with her at 9:30, at the previously arranged location.

Senator MONTROYA. You say in your statement here, on Sunday, the 21st of September 1975, at 8 a.m., that you and Inspector James Molinari of the General Work Detail, along with the ATF agent, met the subject and subsequently followed the subject and said ATF agent, along with two other surveilling ATF agents, to Danville, Calif.

Mr. O'SHEA. To clarify that, Senator, we met in the office. We had already arranged the 9:30 the next morning. She called while we were there. We told her we would meet her at 9:30, and we met her at 9:30 and subsequently followed her to Danville, Calif., at that time.

SURVEILLANCE OF MRS. MOORE

Senator MONTROYA. Did the Secret Service know that you were following her?

Mr. O'SHEA. I had advised them Saturday evening that I would have her covered the entire time.

Senator MONTROYA. I believe you stated that you advised the Secret Service that you would have covered on Sunday also, all of Sunday, because of your concern that she might go to Palo Alto?

Mr. O'SHEA. I said that I would have her covered until such time as we completed the gun deal, released her, and I would let them know immediately that she was released.

Senator MONTROYA. When did you complete the gun deal?

Mr. O'SHEA. I was back in my office sometime during the third quarter of the [San Francisco] 49er football game.

Senator MONTROYA. That would have been about 4:30?

ORDER TO ARREST MRS. MOORE

Mr. O'SHEA. No, sir. This would be about 2 o'clock. I had called the Secret Service at that time, and Agent Haskell asked me if Mrs. Moore had been picked up. I said no.

He said that we had to have her picked up. I said, "All right." I called Mission Police Station, advised them, gave them a description of Mrs. Moore, the license number and color of her car and descriptions of the clothing she was wearing. I told them she would be arriving there within probably 10 or 15 minutes, that she had a .44 revolver in her purse and should be picked up.

This is exactly what happened.

Senator MONTROYA. Who advised the Secret Service of this arrest?

Mr. O'SHEA. After she was picked up, I called back the number that was given to me by Agent Haskell, and I informed an operator there that she had been picked up.

Senator MONTROYA. Was it an answering service?

Mr. O'SHEA. No. I believe it was a temporary office that the Secret Service was using at that time. The gentleman on the other end of the phone advised me that he would relate the information to the agents who were in the field.

Senator MONTROYA. Was this the Secret Service office in San Francisco or was this the command post?

Mr. O'SHEA. I have no idea, Senator. It was just a telephone number that I was given, and I was told by Agent Haskell that I could reach him through that number.

Senator MONTROYA. Who had given you this number?

Mr. O'SHEA. Agent Haskell.

Senator MONTROYA. Do you know what the Secret Service did pursuant to your informing them that Mrs. Moore had been arrested?

Mr. O'SHEA. No, sir.

Senator MONTROYA. You lost contact with the Secret Service after that, is that it?

Mr. O'SHEA. That was it.

Senator MONTROYA. The Secret Service did interview her that evening?

Mr. O'SHEA. Yes, sir.

TELEPHONE TO O'SHEA FROM MOORE

Senator MONTROYA. Did you receive any call from Mrs. Moore while the Secret Service people, Mr. Yauger, Mr. Haskell, were talking to her?

Mr. O'SHEA. At 11 o'clock Sunday night, I received a telephone call from Agent Yauger informing me that they had picked up Mrs. Moore and had her in their office and were interviewing her and that she wanted to speak to me.

I accepted the phone reluctantly, and I spoke to Mrs. Moore and she stated to me, "I guess I am in a fine kettle of fish, aren't I?" I said, "No, you are not." I said, "You were arrested for carrying a concealed weapon. If you had gone down to Stanford and had been caught with that firearm or something like that, you would be in very, very serious trouble."

I said, "Tell them the truth. Tell them what you told me." That concluded my conversation at 11 o'clock Sunday night, with Mrs. Moore. She hung up the phone.

A few seconds later, the phone rang again. It was Agent Yauger. He says, "Is there anything more?" I said, "No." That was the last contact that I had with the Secret Service.

Senator MONTROYA. Are you sure that was your conversation, what you have just stated?

Mr. O'SHEA. Yes, sir.

Senator MONTROYA. What did you mean when you advised Mrs. Moore, "Tell them what you told me."?

Mr. O'SHEA. What I meant to convey to her was to tell them what she had told me on the phone about going to Stanford, that she wanted to protest, test the system and to explain these things to them because these are the things that she said to me, which I felt were important enough that I should notify other agencies.

BACKGROUND FILE ON MRS. MOORE

Senator MONTROYA. Had you developed a file and background information on Mrs. Moore while she was associated in one way or another with the San Francisco Police Department?

Mr. O'SHEA. Approximately 9 months prior to this incident, I came in contact with Mrs. Moore for the first time. That was over an investigation of some fraud cases.

I later put her in contact with Inspector O'Sullivan, who works in my office, and she relayed to him at that time that she felt some, in her words, if I am correct, some heavy people on the left were going to come and interview her and she was fearful for her safety.

We conducted a brief surveillance at that time so as to see that her person was protected.

From that point on, I never had any prior, any other, contact with Mrs. Moore up until the time of the murder of a gentleman in San Francisco known as Popeye Jackson. A few days after the murder of Mr. Jackson and another woman, Mrs. Moore called me and said that she thought that she might be able to provide some information about who was the person, or persons, that killed Mr. Jackson.

At that point, I arranged a meeting with Mrs. Moore. It was the first time that I had actually come face to face and met Mrs. Moore. That, I believe was sometime in May of 1975.

At that point, she provided some loose information. She dropped a lot of first names to me which meant absolutely nothing. She provided no hard-core information that any police action could be taken on. What information she did provide, I brought back and handed over to the Homicide Detail of the police department, and subsequently that information was given to officers of the General Work Detail who investigated bombings.

I said that there was a possibility that some of the things said in her conversation might give them some help in their investigations.

Senator MONTROYA. Did it ever occur to you to ask her what connection she had through which she could furnish information to the San Francisco Police Department?

Mr. O'SHEA. Senator, I was not Mrs. Moore's primary contact.

Senator MONTROYA. I understand that.

Mr. O'SHEA. I made the arrangements to carry through actual investigations by coordinating the men and the vehicles, whatever other things we might need and provided these things on the basis of information provided to me by the inspector.

Senator MONTROYA. Did you indicate at anytime to the Secret Service people or to the ATF people that Mrs. Moore might be the person that might be unstable mentally because of her concerns that people on the extreme right or left might want to do harm to her?

Mr. O'SHEA. I don't believe I did, Senator.

DISCUSSION OF POLITICAL MATTERS

Senator MONTROYA. In your conversation with her during which you indicate that she discoursed with you on political matters, was there any focus to her expressed sentiments, or were they more or less rambling in nature?

Mr. O'SHEA. They were rambling and alluded to her connection with the American Indian movement, the prisoners' movement. She talked about various organizations that I knew by name.

Senator MONTROYA. Did she display any real emotion during these conversations?

Mr. O'SHEA. No, sir.

ASSESSMENT OF MRS. MOORE'S EMOTIONAL STABILITY

Senator MONTROYA. What is and was your assessment of her emotional stability in general?

Mr. O'SHEA. My opinion of Mrs. Moore, I never recognized her to be emotionally unstable myself. I never had any consideration, or I never gave any consideration to the fact that she might be emotionally unstable.

I considered her a middle-aged woman who for reasons of her own was trying to relate to what she thought were the current vital events that were happening and the groups that were carrying forth the programs.

Senator MONTROYA. What would you expect any law enforcement person to do when a woman such as Mrs. Moore would come in

and visit and say that she had a gun in her purse, that the President was going to be in a neighboring community on the next day, and that she was going to see the President?

Mr. O'SHEA. She never mentioned the President's name at anytime, Senator.

Senator MONTOYA. But you did know she was going to Palo Alto?

Mr. O'SHEA. Protest rally at Palo Alto, right.

PRECAUTIONARY MEASURES POSSIBLE

Senator MONTOYA. What would the ordinary officer be expected to do under those circumstances, when the thinking and the atmosphere were such that caution should reign during those hours in the area?

Mr. O'SHEA. What I did was conduct the negotiations for the introduction of the undercover agent to Mrs. Moore, and what I also did was to notify what I felt to be appropriate agencies and let them make whatever decision that they so desired.

Senator MONTOYA. Why did you do this? Were you concerned that she might do something?

Mr. O'SHEA. I was concerned. I was concerned primarily because she said she was armed and that she was going to Stanford. I don't know what she would have done. I am not sure in my mind; but I knew I must contact someone else and tell him.

Senator MONTOYA. After last speaking with Mrs. Moore and the Secret Service agents Sunday evening, what action did you think would be taken to resolve the matter?

Mr. O'SHEA. I dismissed the matter after the conversation at 11 p.m., on Sunday night.

Senator MONTOYA. What did you think the Secret Service was going to do?

Mr. O'SHEA. They were continuing to interview her. I had no idea what they were going to do.

Senator MONTOYA. In retrospect, what would you have recommended be done with Mrs. Moore?

Mr. O'SHEA. I would make no recommendation to the Secret Service nor to any other agency of that stature. They had whatever facts that I could provide and whatever action they take, I am sure they take through their own organizations. I can't recommend to them what to do.

FINAL CONVERSATIONS WITH SECRET SERVICE

Senator MONTOYA. Let me get this into the record. To reiterate the conversation of Sunday evening with Agent Yauger who called you back, you believe your answer to his question, "Is there anything else?" You replied, "No." Is that it?

Mr. O'SHEA. Yes, sir.

Senator MONTOYA. You did not say something to the effect, "She is no problem."?

Mr. O'SHEA. No, sir.

Senator MONTOYA. Did Mrs. Moore receive any compensation from the San Francisco Police Department at any time?

Mr. O'SHEA. No, sir.

Senator MONTOYA. Thank you, very much, Inspector O'Shea.

Senator Eagleton, do you have any questions?
 Senator EAGLETON. Just a few, Mr. Chairman.

PREVIOUS CONTACT WITH SECRET SERVICE

Inspector O'Shea, how long have you been with the San Francisco Police Department?

Mr. O'SHEA. Eleven and a half years.

Senator EAGLETON. During that career with the police department, have you had contact with the Secret Service in connection with Presidential protection?

Mr. O'SHEA. No, sir.

Senator EAGLETON. Had you had contacts with the Secret Service insofar as counterfeiting, forgery or other related duties of the Secret Service?

Mr. O'SHEA. No, sir.

Senator EAGLETON. Had you ever had a conversation prior to the weekend in question with any Secret Service agent about any official matter?

Mr. O'SHEA. No, sir.

Senator EAGLETON. After contacting ATF Agent Schaeffer, your next phone call was to FBI Agent Hulse. I take it that since you had no contacts on prior occasions with the Secret Service, you thought that you would impart your information to the FBI, although it related to a matter of Presidential protection?

Mr. O'SHEA. Senator, I had been informed at an earlier time by my immediate supervisor that Mrs. Moore was alleged to have provided information to the FBI. I called Agent Hulse and told him this. Then they got back to me and said yes, but no longer. I gave them my home phone number, and they said I would be contacted later that evening by the Secret Service.

Senator EAGLETON. And you were, because the call was made by either Yauger or Haskell to your home Saturday night?

Mr. O'SHEA. Yes, sir.

MRS. MOORE LIKENED TO MISS FROMME

Senator EAGLETON. You stated in your testimony that you never considered Mrs. Moore to be emotionally unstable. How does that compare with the statement earlier in your testimony that this "could be another Squeaky Fromme"?

Mr. O'SHEA. I base that on just the fact I described, that I felt she wanted attention, and I also went on to this later statement that I didn't consider her emotionally unstable because I had only met Mrs. Moore once prior to this brief meeting Sunday.

Senator EAGLETON. The statement that you made, "This could be another Squeaky Fromme.", you said this was made to all three of them. Could you tell me where this statement was made, at what time it was made, and to whom it was addressed?

Mr. O'SHEA. I think I addressed this statement to Schaeffer, of the ATF, Saturday afternoon, to Agent Hulse of the FBI Saturday afternoon, and again to Agent Haskell of the Secret Service on Saturday night.

Senator EAGLETON. On three separate occasions, to three separate Federal agents, Schaeffer of the ATF, Hulse of the FBI, and Haskell of the Secret Service, you stated to all three of those individuals on separate occasions that this could be another Squeaky Fromme?

Mr. O'SHEA. Yes, I did. I would like to clarify that in a sense. What I meant by that is another publicity seeker. It was in that conversation, and that was the best or the fewest use of words to describe my feeling about her.

Senator EAGLETON. A publicity seeker with a gun?

Mr. O'SHEA. I didn't use those words.

Senator EAGLETON. You made that causal connection in your own mind?

Mr. O'SHEA. This is what alerted me.

Senator EAGLETON. Your last contact with the Secret Service was at 11 p.m. Saturday night?

Mr. O'SHEA. Sunday night.

Senator EAGLETON. To clarify it a bit further as Senator Montoya has covered this, but I want to get it on the record as clearly as we can, as you read your statement, Mrs. Moore hung up; Yauger then calls you back. Yauger: "Is there anything more?" Answer of O'Shea, "No."

Mr. O'SHEA. It could have been, "No, there is nothing more." I don't know whether those were the exact words, but we had no further conversation concerning Mrs. Moore on that return call.

Senator EAGLETON. Could the question have been from Yauger on the phone, is it conceivable based on your recollection of those events, could that question have been, "Do I have a problem with this lady?"

Mr. O'SHEA. I don't believe so because that would have called for an answer.

Senator EAGLETON. Bearing in mind at three separate occasions on Saturday, to these three Federal agents, you have told each of them that this could be another Squeaky Fromme, why did you not reiterate that to Yauger at 11 p.m. Sunday night?

Mr. O'SHEA. I said there was a possibility that this could be another Squeaky Fromme.

Senator EAGLETON. That is what you told three agents on Saturday?

Mr. O'SHEA. Saturday night, right. There seemed no point, and I wasn't even thinking along those terms Sunday night. Mrs. Moore had been picked up, the gun had been confiscated, she had been released. I knew at that point, she was in their custody. There was no point in going any further.

Senator EAGLETON. Thank you, very much, Inspector O'Shea.

Thank you, Mr. Chairman.

NEVER VOUCHER FOR MRS. MOORE

Senator MONTROYA. Did you at anytime indicate to the Secret Service people that you could not vouch for this woman?

Mr. O'SHEA. I was never asked to vouch for Mrs. Moore by the Secret Service.

Senator MONTROYA. Did you indicate to anyone else that you could not vouch for this woman?

Mr. O'SHEA. I never indicated I could not vouch for her. I told my immediate superior after the incident that I did not vouch for Mrs. Moore.

Senator MONTROYA. That was after the attempt?

Mr. O'SHEA. After the attempt.

Senator MONTROYA. Thank you, very much, Inspector O'Shea.

SUBCOMMITTEE RECESS

We shall stand in recess until 2 o'clock this afternoon.

[Whereupon, at 12:15 p.m., the subcommittee was recessed, to reconvene at 2 p.m., the same day.]

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(AFTERNOON SESSION, 2 O'CLOCK, WEDNESDAY, OCTOBER 1, 1975)

DEPARTMENT OF THE TREASURY

U.S. SECRET SERVICE

REVIEW OF SECRET SERVICE PROTECTIVE MEASURES

STATEMENTS OF:

GARY YAUGER, SPECIAL AGENT, SECRET SERVICE

MARTIN HASKELL, SPECIAL AGENT, SECRET SERVICE

Senator MONTROYA. The subcommittee will be in order.

Our next witnesses are Special Agents Gary Yauger and Martin Haskell of the U.S. Secret Service. Agents Yauger and Haskell interviewed Mrs. Moore late in the evening on September 21, 1975. I am interested in the reasons why they made the determination after the interview to release Mrs. Moore and ordered a background investigation.

I understand, gentlemen, that you do not have a prepared statement. I would appreciate each of you providing your names, years of service as Special Agents, your current assignment with the Secret Service, your ages and the number of advance missions on which you have worked.

Would you proceed and state your name and answer in detail, if you can.

INTRODUCTION OF MARTIN WM. HASKELL, JR., SPECIAL AGENT

Mr. HASKELL. Yes, Mr. Chairman. My name is Martin William Haskell, Jr. I am a Special Agent with the U.S. Secret Service, currently assigned to the San Francisco Field Office. I have been employed with the Secret Service since January 3, 1966.

My current duties in San Francisco are as the protective intelligence squad leader. I am 34 years old.

Senator MONTROYA. On how many protecting missions have you served?

Mr. HASKELL. Mr. Chairman, I have conducted approximately 60 advance security arrangements for protectees of the Secret Service.

Senator MONTROYA. Agent Yauger? Please give us your name, age and so forth.

INTRODUCTION OF GARY S. YAUGER, SPECIAL AGENT

Mr. YAUGER. Mr. Chairman, my name is Gary S. Yauger. I entered on duty in the Secret Service in March 1970. I have been assigned to the Intelligence Division for 4 years. My current position is operations supervisor. I am 36 years old. I have been involved in more than 40 advances.

In addition, I had been assigned as an Intelligence Agent with the McGovern Detail in 1972.

DEFENDANT BROUGHT TO THE ATTENTION OF THE SECRET SERVICE

Senator MONTROYA. I will ask this question of Agent Haskell. As a member of the San Francisco Field Office, had Mrs. Moore ever come to your attention through your assigned duties prior to September 20, 1975?

Mr. HASKELL. Mr. Chairman, no, she had not.

Senator MONTROYA. When did Mrs. Moore first come your attention?

Mr. HASKELL. The first time she came to the Secret Service's attention in San Francisco was on the evening of Saturday, September 20, of this year.

Senator MONTROYA. At what hour in the evening?

Mr. HASKELL. She came to my attention at approximately 7:45 p.m.

Senator MONTROYA. Through whom?

Mr. HASKELL. By another special agent of our office, James O'Connor.

Senator MONTROYA. Did he relate to you how it had come to his attention?

Mr. HASKELL. Yes, Mr. Chairman. He had received information from Detective Ray Kolling, of the Palo Alto Police Department, who had received word from his dispatcher who, in turn, had heard from Special Agent Hulse of the FBI in San Francisco that same date.

Senator MONTROYA. The FBI had notified the Palo Alto Police Department, and the Palo Alto Police Department in turn notified James O'Connor?

Mr. HASKELL. Yes, sir.

Senator MONTROYA. And James O'Connor notified you?

Mr. HASKELL. Yes, sir.

Senator MONTROYA. Did you ascertain how the Palo Alto Police Department had become aware of Mrs. Moore?

Mr. HASKELL. By telephone communications with Special Agent Hulse of the FBI.

Senator MONTROYA. Were you aware of the conversation that took place between the Palo Alto Police Department and Mr. O'Connor?

Mr. HASKELL. Only that a message had been left that an Inspector of the San Francisco Police Department, Jack O'Shea, had given his telephone numbers to contact him regarding Sara Jane Moore.

Senator MONTROYA. Will you please tell us what Agent O'Connor received by way of information from the Palo Alto Police Department?

Mr. HASKELL. Mr. Chairman, just the fact that one Sara Jane Moore was possibly coming to Palo Alto the following day, possibly with a weapon, and that Inspector O'Shea, of the San Francisco Police Department, had more details. He was just passing the message on to me to make contact with Inspector O'Shea.

Senator MONTROYA. Did you contact anybody after this conversation with Agent O'Connor?

Mr. HASKELL. Yes, sir, I did. I might also add that another one of our special agents in San Francisco, Cliff Deckard—

Senator MONTROYA. What is his name?

Mr. HASKELL. Cliff Deckard. He was the Duty Agent on duty that weekend and had also received a message from Special Agent Hulse of the FBI regarding Sara Moore. So we in effect had two contacts.

Senator MONTOYA. To whom did he relate the message from the FBI?

Mr. HASKELL. To me.

Senator MONTOYA. Did he relate it to anybody else?

Mr. HASKELL. No, sir.

Senator MONTOYA. What did he relate to you? The same message?

Mr. HASKELL. Yes, sir. By the time I talked with him I already had talked with Inspector O'Shea, and I had more details than Agent Deckard had.

CHRONOLOGY OF EVENTS

Senator MONTOYA. At what hour did you receive this information?

Mr. HASKELL. I talked with Mr. Deckard at approximately 9:20 that evening.

Senator MONTOYA. When had he received the information?

Mr. HASKELL. He received it from the FBI at approximately 5:20 that same evening.

Senator MONTOYA. Why did he delay so long?

Mr. HASKELL. He had left a message with the San Francisco Signal Board, which is a communications facility set up by the White House Communications Agency, for me to contact him.

Senator MONTOYA. At what time did he leave that message?

Mr. HASKELL. At approximately 7:15.

Senator MONTOYA. As you look back in retrospect, was that an unreasonable delay?

Mr. HASKELL. No, sir. It was not.

Senator MONTOYA. Why do you say that?

Mr. HASKELL. Apparently he had tried to contact me at the St. Francis Hotel, also through my home, and then finally left a message with the San Francisco Signal Board.

Senator MONTOYA. Did he at any time try to contact the command post of the Secret Service?

Mr. HASKELL. The command post at that time was not in operation, although the Signal Board was in operation.

Senator MONTOYA. Then after you received this communication, what did you do?

Mr. HASKELL. At approximately 8:15 on Saturday, I reached Inspector O'Shea at his residence.

Senator MONTOYA. When you first received the information, is that correct?

Mr. HASKELL. Yes, sir.

Senator MONTOYA. The first message you received about this woman possibly going to Palo Alto was from whom?

Mr. HASKELL. FBI Agent Hulse.

Senator MONTOYA. That was at what time, did you say?

Mr. HASKELL. I received that message from Agent O'Connor at Palo Alto at approximately 7:45 that evening.

Senator MONTOYA. Then at 8:15 you proceeded to do something about it?

Mr. HASKELL. I attempted to call Mr. Kolling of the Palo Alto Police Department but did not reach him with the several numbers that were furnished me. I then attempted to call Inspector O'Shea's office and received no answer. It was approximately 8:15 when I reached him at his residence.

Senator MONTROYA. What did you ascertain from Inspector O'Shea?

Mr. HASKELL. Inspector O'Shea advised me that he had an informant named Sara Jane Moore, who had made previous arrangements with him in an unrelated case. During the arrangements being made for that case, she had mentioned that she had wanted to work on the case early Sunday morning as she had a 2 o'clock appointment in Palo Alto.

INITIAL CONVERSATION WITH INSPECTOR O'SHEA

Senator MONTROYA. Tell us about the initial conversation with Inspector O'Shea, when Sara Jane Moore first came to your attention. Relate as much of the conversation that you had with Inspector O'Shea at that time.

Mr. HASKELL. I talked with Inspector O'Shea twice that evening; once at approximately 8:15, and then also at 9:46 that evening. The reason for the two contacts is that the Secret Service was holding an agent's briefing at 9:00 p.m. in the St. Francis Hotel to go over security arrangements for the Stanford University stop on the 21st and also the San Francisco stop on the 22d.

So I had to get brief initial information about the subject, Sara Moore, in the first phone call and then subsequently phoned him back after the meeting.

Essentially what was passed on to us was that she was an informant of Inspector O'Shea's, that she was also known to be a source of information for the FBI in San Francisco, that she had arranged or had received information relative to a prospective gun dealer in the East Bay area of San Francisco, that she was willing to introduce an undercover agent to this gun dealer, that the gun dealer was a rightwinger, and that she apparently was leaning towards the left faction and wanted to see if the system would treat the rightwing as it does the leftwing in regards to arrest and prosecution.

Senator MONTROYA. What system was she talking about?

Mr. HASKELL. I understood the conversation about the system being the judicial process.

Further, that she had requested to do this undercover work in the early morning hours of Sunday, the 21st, due to the fact that she had a 2 o'clock appointment that same afternoon, Sunday, at Palo Alto.

Senator MONTROYA. Did Inspector O'Shea relate to you what her intentions might be with respect to Palo Alto?

Mr. HASKELL. Yes, Mr. Chairman. He inquired as to her 2 o'clock appointment and told us that she had asked, "Do you think I can be arrested by going to Palo Alto to demonstrate?"

Inspector O'Shea states that he responded, "What do you mean?" She allegedly made the statement, "Well, you know I carry a gun with me all the time."

Inspector O'Shea stated that he then advised her that, yes, if you did carry a gun to Palo Alto, you probably could be arrested. She allegedly responded by saying, "I am just going down there to test the system."

Senator MONTROYA. Was this related to you about 9:15 on Saturday night?

Mr. HASKELL. Just initial details approximately at 9:15 and then more in detail at about 9:46 that evening. We spoke for 13 minutes.

Senator MONTROYA. Did that arouse any concern in your mind or curiosity that she might be going to Palo Alto for some reprehensible purpose, such as trying to harm the President?

Mr. HASKELL. We asked him his impression of what she meant by "testing the system". Inspector O'Shea stated that he did not know what she meant by that comment and because of the recent incidents in Sacramento, he wanted to pass this information on to us.

INITIAL ASSESSEMENT OF THE SITUATION

Senator MONTROYA. Wouldn't the fact or the statement related to you by Inspector O'Shea that here was a woman, she was armed and had a gun and had stated that she wanted to go to Palo Alto together with the facts that Inspector O'Shea had notified the Palo Alto Police Department and the FBI had been in communications about her, wouldn't all of those things of which you are aware at this time, trigger something in your mind that this person might be a dangerous individual?

Mr. HASKELL. We took this information as we did other information for the pre-advanced security for this visit by the President. We had received numerous inquiries about individuals, groups, demonstrations and so forth.

We treated this incident in that same light. Inspector O'Shea advised that if we did not insist on interviewing her that night, that she would definitely show up for the 9:30 a.m. Sunday morning appointment, and that if she did not show up he would advise us. I had asked him if she had a police record. He responded "No." I had asked that question because I wanted to obtain photographs.

Senator MONTROYA. Inspector O'Shea testified this morning that he made the statement, "This girl could be another Squeaky Fromme." Did he make it to you?

TELETYPE FROM FBI

Mr. HASKELL. No, sir, he did not. He did mention when he was passing the information on to us that he was doing so because of the recent incident in Sacramento.

Furthermore, I do have a copy of the teletype that the FBI sent to their Headquarters, advising them of Inspector O'Shea's contact with them about the incident in which it does not refer to Squeaky Fromme either.

I believe this teletype was brought to your attention yesterday by an FBI official.

Senator MONTROYA. May I see it again? We don't have that copy.

Mr. HASKELL. Shall I read it?

Senator MONTROYA. You may read it.

Mr. HASKELL. It is dated September 21, 1975, which would be Sunday in the early morning hours. It is entitled "Sara Jane Moore Threat against the President," which is a heading that they would normally use. The teletype states:

On September 20, 1975, Inspector John O'Shea, San Francisco Police Department, (SFPD) San Francisco, California, advised at 4:45 p.m. Pacific Standard Time, that Sara Jane Moore notified him that she would be carrying a gun in her purse on September 21, 1975, when Moore was going to be at Stanford University, Palo Alto, California, during President Ford's visit. Moore asked O'Shea, "Are you going to arrest me? I am going to see if the system works."

Special Agent Terry D. Hulse, San Francisco FBI, advised the following agencies on September 20, 1975. Cliff Deckard, Secret Service, San Francisco, California, 5:45 p.m.; Desk Officer Strickter, Palo Alto Police Department, Palo Alto, California, 6:30 p.m.; September 21, 1975, at 2:45, SA Robert A. Keane, FBI Headquarters, advised United States Secret Service, Washington, D. C., Duty Agent Bill Hamilton. FBI not investigating.

That is the end of the teletype.

Mr. YAUGER. Mr. Chairman, I would like to add that although we did not hear the name Squeaky Fromme, I do not recall that being told to me, the fact that the information we received we did treat seriously. It wouldn't have made any difference if he had said Fromme—we would have treated it the same way.

Senator MONTROYA. I am trying to develop that. We are going to have ample time to explain this. I am not trying to lead you into accusatory evidence. I just want the sequence of events, and then I will ask you what your reactions were, what you did.

Did the Secret Service agency which received the FBI report communicate with you people immediately?

Mr. HASKELL. Special Agent Hulse, who is mentioned in the teletype, is an FBI Special Agent in San Francisco. He did notify our Duty Agent, Cliff Deckard, in San Francisco.

Senator MONTROYA. Did he in turn notify you?

Mr. HASKELL. Yes, sir. He left a message for me through the Signal Board, which I did return.

Senator MONTROYA. Is that what you referred to before?

Mr. HASKELL. Yes, Mr. Chairman.

Senator MONTROYA. Did you have any discussion with any people of the Secret Service after you received this information from the FBI?

Mr. HASKELL. Yes, Mr. Chairman. I reviewed this information with my immediate supervisor, Assistant Special Agent in Charge, Warren Taylor, of the San Francisco field office.

CONTINGENCY PLANS

Senator MONTROYA. What concern did you express to each other after you determined what the factual situation was up to that point?

Mr. HASKELL. I didn't understand your question, Mr. Chairman.

Senator MONTROYA. What concern developed in your mind or the minds of those in the Secret Service after this factual situation came to your attention?

Mr. HASKELL. The concern developed was only such that we made contingency plans with Inspector O'Shea, and Special Agent Yauger discussed with him during the second phone call on Saturday evening what contingency plans we would develop if in the event Sara Moore

did not make her 9:30 a.m. appointment on Sunday regarding the gun buy in Danville.

Senator MONTROYA. And you were, of course, notified that she did keep her appointment on Sunday morning?

Mr. HASKELL. Yes, Mr. Chairman. Excuse me; but he did not advise us at the scheduled time that morning. We initiated telephone calls to him later in the day, trying to determine—

Senator MONTROYA. How much later in the day?

Mr. HASKELL. The instructions given to Inspector O'Shea were to call the San Francisco Signal Board. That was the phone number I had given him, to let us know one way or the other whether or not Sara Moore had shown up for that 9:30 appointment.

Senator MONTROYA. When did you become aware that she had kept the appointment?

Mr. HASKELL. At approximately 1 p.m. that same date, Sunday.

Senator MONTROYA. When was the President going to appear in Palo Alto?

Mr. HASKELL. At approximately 4 p.m. that same day.

Senator MONTROYA. What did you do from 8:30 a.m. until 1 p.m. when you did not have any definite news as to whether or not she had kept the appointment?

INTELLIGENCE BRIEFING

Mr. HASKELL. Special Agent Yauger and I arrived at Stanford University at approximately 10 o'clock Sunday morning, the 21st. We had general discussions with the intelligence people down there regarding the intelligence atmosphere at the campus.

I initiated a phone call to Inspector O'Shea's home at approximately 10:30 that morning. His wife stated that he was in fact working. I called his office and received no answer.

At that time we had an 11 a.m. intelligence briefing for all intelligence officers concerning the visit to Stanford. At that time we brought up the name Sara Moore as a possible loose end because we did not know her physical whereabouts at that moment.

An FBI agent also attended the intelligence briefing to pick up identification to be possibly used by his personnel if they came onto the campus.

When the name Sara Moore was mentioned, he stated to the effect, "Oh, you mean Sara Jane?" This special agent did confirm that she was an informer or source of information for the FBI.

Senator MONTROYA. Did you relate this to those who attended the briefing?

Mr. HASKELL. That is correct.

Senator MONTROYA. How many people were at the briefing more or less?

Mr. HASKELL. Special Agent Yauger, myself and two other special agents assigned to do intelligence at that location. Captain Walter Konar, Stanford Department of Public Safety, who deals with intelligence on the Stanford University campus; Mr. Kolling of the Palo Alto Police Department was there; Officers Dick Heseflow and Jack Silliman, of the Santa Clara County Sheriff's Department, were there; FBI Agent Kent Brisby, Palo Alto resident agency was there; Lt. Nino Lo Schiavo, of the San Mateo Sheriff's Department, was there.

Senator MONTROYA. They were all apprised of the possible presence of Mrs. Moore?

Mr. HASKELL. They were apprised of the fact that we were unable to get hold of Inspector O'Shea to check on Sara Moore's disposition, and that we were concerned at this point because we did not know her whereabouts.

Senator MONTROYA. Did you post a lookout for her?

CONVERSATION WITH INSPECTOR O'SHEA ON SATURDAY

Mr. YAUGER. Mr. Chairman, I would like to back up to the night before, my original conversation with Inspector O'Shea. After Agent Haskell finished talking to Inspector O'Shea, I took the phone, and we discussed Sara. We determined that, yes, she was reliable and that she would be at the 9:30 meeting. We also discussed having her arrested after the ATF case.

Senator MONTROYA. What hour are you talking about on Saturday?

Mr. YAUGER. This is at 9:46, that 13-minute conversation Agent Haskell was talking about.

I remember asking Inspector O'Shea, "Well, I am sure she will show up for the 9:30 meeting. We are going to want to talk to her, but if she will show at 9:30 it is no problem to us right now. However, we must make some plans in the event she doesn't show."

At that time, I obtained her name, one of her AKA's, Carmel, type of car she was driving, the license number, her physical description. I also inquired with Inspector O'Shea about pictures of Sara.

He advised me that he had pictures, and we determined that in the event she did not show he would be able to dispatch pictures to us in Stanford.

Senator MONTROYA. Did he?

Mr. YAUGER. No.

Mr. HASKELL. She kept the appointment.

Mr. YAUGER. That was just a contingency in the event she did not attend the 9:30 appointment.

Immediately terminating that conversation, I called in to our headquarters in Washington and told them what we had and what was going to happen the next day.

APPOINTMENT TO PURCHASE A GUN

Senator MONTROYA. Why was the 9:30 appointment used as the only criterion for triggering any kind of surveillance on her?

Mr. YAUGER. Because the President would not be arriving until around 4 o'clock. So we had plenty of time.

Senator MONTROYA. Then when you didn't hear whether or not she kept that 9:30 appointment—

Mr. YAUGER. The next day we brought the name up because we hadn't heard the results of the 9:30 meeting. In fact, at that time we did not know that she was possibly on the way down or what.

Senator MONTROYA. Since you placed so much weight upon the significance of the 9:30 appointment, why didn't you call San Francisco to ascertain whether or not she actually had?

Mr. YAUGER. After we got down there and had our meeting, I called the residence of Inspector O'Shea twice, and his wife said he was out.

In my mind, I am wondering what is going on. I assumed he was with Mrs. Moore, but I don't know. So I started asking Mr. Haskell to do some work on it to make some calls to see if he could locate the inspector to find out what happened.

Senator MONTROYA. You had a conversation with Inspector O'Shea about his furnishing you pictures, and I believe that you also discussed his furnishing a blown-up picture of her driver's license? Did he do that?

Mr. YAUGER. We did not discuss the type or number of pictures that he would supply.

Senator MONTROYA. How were you going to set any alternative countermeasure in motion if you did not know who she was? You had no picture of her in Palo Alto?

Mr. YAUGER. In our original conversation, Inspector O'Shea and myself, we talked it over about pictures. I got the physical description and everything, and I said we are going to need some pictures.

He said, "Well, if she doesn't show for the meeting, I will dispatch a car with pictures to Stanford."

Senator MONTROYA. Then when you didn't hear from Inspector O'Shea, you assumed that she had shown?

Mr. YAUGER. Yes, sir.

Senator MONTROYA. Therefore you did not have to do anything in Palo Alto with respect to her?

Mr. YAUGER. We were just awaiting his call to confirm what had happened that morning.

Mr. HASKELL. Mr. Chairman, he did make the statement to Mr. Yauger and myself that he would call us shortly after 9:30 that next morning to indicate whether she had shown or had not.

Senator MONTROYA. But he didn't call you?

Mr. HASKELL. No, sir. That is why we tried to call him at 10:30, once we were at the campus, and then followed it up at 1 o'clock.

Senator MONTROYA. Then you posted a lookout for her; is that it?

Mr. HASKELL. Yes.

Senator MONTROYA. How could you post a lookout for her if you didn't know what she looked like and had no pictures? Can you answer that?

CONVERSATION WITH INSPECTOR O'SHEA ON SUNDAY

Mr. HASKELL. At approximately 1 p.m., I telephoned the San Francisco Police radio dispatcher to try to get in touch with Inspector O'Shea. I did not have his radio call sign.

So I was transferred to the operations center, where I spoke with a sergeant, told him it was very urgent that I get hold of Inspector O'Shea. They took down the San Francisco Signal Board number, of which we had a drop at Stanford University, and said he would get hold of him.

Shortly after that, Inspector O'Shea did return my call, and I asked him how things went. He said everything went as scheduled this morning. I said, "Is she in custody?" He said, "No," that he had just talked with her and she was at her house.

Our understanding the night before was that following the ATF incident, the gun related case, she was going to be placed under arrest for the possession of the weapon in her purse.

Senator MONTROYA. But at that time you were not positive that she was at her home or that she would be placed under arrest except for the conversation which you had had with Inspector O'Shea?

Mr. HASKELL. That is correct.

Senator MONTROYA. But did you post a lookout at Palo Alto for her?

Mr. HASKELL. Yes, sir; we did. At this time, the same telephone conversation with Inspector O'Shea, Mr. Yauger was standing next to me, and I discussed putting her under surveillance at that time, since she was not under arrest. Inspector O'Shea said that he would commence surveillance by the police department in San Francisco.

ALL POINTS BULLETIN FOR MRS. MOORE

Senator MONTROYA. Why did you have a lookout in Palo Alto after that?

Mr. HASKELL. To insure that she was still at her residence at the time the surveillance was set up on her by the police department, because we were not sure that she was in fact there.

I immediately requested Captain Tatum, of the Palo Alto Police Department, and Captain Konar, of the Stanford University Police Department, to put an APB, an All Points Bulletin out for Mrs. Moore with her description and the description of her vehicle and the fact that she might be armed.

This was in case that by the time San Francisco responded to her residence that she might not be at that location. Shortly thereafter, Lieutenant White, who is Inspector O'Shea's supervisor, telephonically contacted me at Stanford.

He was just checking with me to see if Inspector O'Shea had gotten in touch with me. Evidently the communications center at the San Francisco Police Department had called him as to Inspector O'Shea's location.

I advised Lieutenant White of the circumstances that the subject, Sara Moore, was not in custody and that Inspector O'Shea had effected a surveillance or stated that he would do so.

We discussed the circumstances of her proposed arrest for gun possession charges, and Lieutenant White stated that he would effect this arrest.

MRS. MOORE TAKEN INTO CUSTODY

Shortly thereafter, our command post received the telephone call, advising that Sara Moore had in fact been arrested by the San Francisco Police Department. This was broadcast to all Secret Service posts at Stanford over our frequencies and at the same time we requested the APB to be canceled with the Palo Alto Police Department.

So from that time on, we were assured or in our own minds that she was in fact in custody in San Francisco.

[A brief recess was taken.]

PHOTOGRAPHS OF DEFENDANT NOT USED

Mr. YAUGER. You asked how we could make a lookout without having pictures. This is a known procedure, and we do it all the

time with the physical data we have available. In this case, without the pictures, we still had her physical description.

Senator MONTROYA. The point that I was making was that you knew that the photographs were available, that the photographs had been promised to you and that in the absence of receiving any information that Mrs. Moore was under surveillance, that there was no move made to get the photographs for the purpose of the lookout.

Mr. YAUGER. Mr. Chairman, I would say in the event we had not been able to find out that she had been picked up, the police in San Francisco would have provided us pictures to have there prior to the President's arrival.

Senator MONTROYA. And upon that assurance from the San Francisco Police Department, you thought you had to do nothing else?

Mr. YAUGER. Yes, sir.

ARREST OF DEFENDANT

Senator MONTROYA. We are up to 2 o'clock on Sunday afternoon when, supposedly, Mrs. Moore was arrested by the San Francisco police. Is that correct?

Mr. YAUGER. Yes, it is. We received that information at approximately 2:50. This information was received by Agent Caughey, the advance agent who was currently out at the naval air station. That is where the Presidential aircraft would arrive.

The information was immediately relayed to the command Post. Agent Haskell and myself were advised, and at approximately 3:40, the Sara Jane Moore lookout was canceled. The APB with local law enforcement authorities was also canceled at that time.

Senator MONTROYA. How long had you had the lookout for her?

Mr. YAUGER. Approximately 2 hours. Mr. Chairman, the records of the Palo Alto Police Department indicate that the All Points Bulletin was issued at 2:30 p.m., and was subsequently canceled at 3:40. So that would be 1 hour and 15 minutes. Excuse me, 1 hour and 10 minutes.

Senator MONTROYA. What kind of a lookout procedure did you set in motion for that hour and 10 minutes?

Mr. HASKELL. Captain Tatum of the Palo Alto Police Department and Captain Konar of the Stanford University police were requested to have their dispatchers radio all their personnel as to an All Points Bulletin for Mrs. Moore, her physical description, the complete descriptions of her vehicle, and the fact that she had, or might be carrying a weapon. At that same time, all Secret Service posts in that area were advised on our radio frequencies of the same alert.

Senator MONTROYA. Did you initiate any measures in the area where the President might arrive?

Mr. HASKELL. Yes, sir, through contacting all of our Secret Service posts in all of these areas.

Senator MONTROYA. They were given a description of Mrs. Moore?

Mr. HASKELL. That is correct, sir.

Senator MONTROYA. Still, you had not received a picture of Mrs. Moore?

Mr. HASKELL. That is correct, sir.

Senator MONTROYA. There had been no additional effort made to get that picture?

Mr. HASKELL. No, sir. We had not heard from Inspector O'Shea. The President was not due to arrive until approximately 4 p.m., and we knew from our previous conversations with him that photographs of her would be furnished, that even if they had not been, we felt we had a good enough description of her.

Senator MONTROYA. After you received the communications that Mrs. Moore had been arrested, how soon after did you advise Washington; was it 6:30?

Mr. YAUGER. Yes, sir.

Senator MONTROYA. What did Washington advise you?

Mr. YAUGER. Washington knew that we would be interviewing her prior to the visit to San Francisco.

Senator MONTROYA. Did you at anytime after you were informed that she had been arrested, make any move to contact her at the jail where she had been jailed by the Mission Precinct police?

Mr. YAUGER. No, we didn't, Mr. Chairman.

Senator MONTROYA. Did you think it was not necessary?

Mr. YAUGER. Yes. We thought it was unnecessary.

RELEASE OF DEFENDANT

Senator MONTROYA. When did you find out that she had been released?

Mr. HASKELL. Following the President's departure from the San Francisco district for Southern California, Mr. Yauger and I had a post-visit briefing with intelligence officers.

There was a possibility that the President would return to Monterey, Calif., which is in the San Francisco district, for an overnight stay at that location. However, due to his late arrival that night, weather conditions were such that we had to have a contingency plan at Moffett Air Station, which is adjacent to Stanford, for a possible arrival at that point, for a motorcade to Monterey, and we had to coordinate our intelligence activities with this contingency.

We departed Palo Alto area at approximately nine o'clock, and on our way back to San Francisco, we decided we would go by the city prison in San Francisco to check on Sara Moore's disposition.

We did arrive there and signed in the log at 10 o'clock, interviewed the sergeant, the booking sergeant at the San Francisco City Prison, who advised us that they had no records of Sara Jane Moore being booked by that police department on that date.

Subsequently, Mr. Yauger and I left the police department, and I went to a telephone, and I called Inspector O'Shea at home to find out what had occurred with Mrs. Moore following the apparent arrest of her that afternoon.

He advised me that she had been picked up by San Francisco police, had been taken to their Mission Precinct Station. The weapon and some ammunition had been seized from her, and she was cited for a misdemeanor, at which time he told me that he thought that she had not left the police station until approximately 5:30.

At that point, Mr. Yauger and I went to Mrs. Moore's residence to conduct an interview.

VISIT TO MOORE RESIDENCE

Senator MONTROYA. Who was at Mrs. Moore's residence when you arrived there besides her daughter? Was her son also there?

Mr. HASKELL. We did not see her son. We knocked on the door and a young woman, approximately 24 years of age, answered the door, stated that Mrs. Moore was around the corner visiting with neighbors, and we requested this person to get Mrs. Moore for us. She did respond and got Mrs. Moore.

Senator MONTROYA. Were the police there?

Mr. HASKELL. No, sir.

Senator MONTROYA. So she had been free from approximately 5:30 until 10:15 when you got there?

Mr. HASKELL. Yes, sir. I might note that the President departed the San Francisco district just before 6 p.m. that evening. That is, the Palo Alto area, which is approximately 45 minutes away.

Senator MONTROYA. How much time did you spend with Mrs. Moore at her residence?

Mr. HASKELL. We went inside the residence with her, spoke briefly, mentioned the fact that we did want to interview her about some statements she had made to Inspector O'Shea. She requested—

Senator MONTROYA. To what statements were you referring?

Mr. HASKELL. In reference to her proposed visit to Stanford.

Senator MONTROYA. The visit was already over, was it not?

Mr. HASKELL. Yes, sir.

Senator MONTROYA. You wanted to get some background information?

Mr. HASKELL. Yes, sir. Mrs. Moore requested she not be interviewed at her residence because she did have a friend at that residence and did not want anyone to know the roles that she had been playing with law enforcement agencies. Mr. Yauger and I then took Mrs. Moore down to our San Francisco field office and interviewed her at that location.

INTERVIEW OF DEFENDANT AT FIELD OFFICE

Senator MONTROYA. Did she verify to you that she had actually intended to go to Palo Alto?

Mr. YAUGER. Mr. Chairman, at the onset of the interview at her residence, I started asking her questions about basic background. Then she said she would like to go downtown. We brought her to our field office in the Federal Building, took her to the 12th floor, the Secret Service office, and resumed the interview.

At the outset of the interview, I was asking the basic questions, her name, date of birth, and she was a little hesitant to talk to us. She was somewhat concerned that she had come to the attention of the Secret Service. This is not unusual.

We asked her if she knew why we wanted to talk to her and she replied yes, probably about Stanford. We began talking about Stanford. She then became a little upset that she was talking to Federal agents.

Haskell said, "Would you like to speak with Inspector O'Shea?" She replied in the affirmative, and then Haskell I believe, used the signal phone. We have an automatic phone. You pick it up and

the signal board answers it. We called Inspector O'Shea at home. Haskell talked to him briefly and we put Sara on with the inspector.

TELEPHONE CALL TO INSPECTOR O'SHEA

Senator MONTROYA. What conversation transpired at that point between Mr. Yauger and Inspector O'Shea?

Mr. YAUGER. Prior to that, Mr. Chairman, Sara was talking to Inspector O'Shea. She said something, like she was in a fine kettle of fish. She said something to the effect that I think you took my statements about Stanford out of context. She was referring to what she had told him earlier about going to Stanford with a gun and that he in turn told us.

He calmed her down. She started to hang up the phone as I was reaching for it. I wanted to say a few words to him. I immediately called him back on a commercial phone which was right in front of me; the signal phone was on the other side of the table.

I said something to the effect that, "Do we need anything else; do we have a problem?", something along those lines. He replied, "No." I then terminated my conversation with him and resumed the interview with Sara.

Senator MONTROYA. If your conversation was that brief, how did you expect O'Shea to understand what you meant, by the question, "Do we have a problem?"

Mr. YAUGER. I think he might have understood that—was there a problem in interviewing her, myself, the fact that there had been no overt concern earlier in the day about Stanford, the meeting did go on as she did show for the meeting with him. I don't know what he thought I meant by saying, "Do we have a problem?"

Senator MONTROYA. Hadn't Inspector O'Shea indicated to you or to others who in turn might have communicated it to you that Mrs. Moore was a very strange individual?

Mr. YAUGER. No, Mr. Chairman. No.

Senator MONTROYA. Was there any indication that she was all right?

Mr. YAUGER. We had information from Inspector O'Shea that she had been an informant with some reliability in the past.

Senator MONTROYA. Did that give her the kind of credentials that would lead you to believe that there was no cause for worry?

Mr. YAUGER. I wouldn't go so far as to say it was no cause for worry, but it does give her some credibility.

Mr. HASKELL. Also, Mr. Chairman, we interpreted when Mr. Yauger did—I did hear him ask Inspector O'Shea, "Do you feel that she is a problem?"

We interpreted his answer meaning that if he did consider her a problem, she would have been arrested immediately after that earlier undercover meeting with the ATF that day. This is what we had originally assumed was going to happen and, of course, which did not happen.

Senator MONTROYA. But you never asked Inspector O'Shea the specific question as to whether or not she might be a problem with respect to the safety of the President? You did not ask him that specific question?

Mr. YAUGER. No, sir, but I am sure that the fact that he said "No" to my question about "problem" did not affect my interview at all.

Senator MONTOYA. What happened during the interview with Mrs. Moore?

INTERVIEW WITH DEFENDANT

Mr. YAUGER. We questioned her as to her intentions.

Senator MONTOYA. Did you query her as to her intentions prior to that time or as to any prospective action on her part?

Mr. YAUGER. We started out by asking her her intentions prior to the interview.

Senator MONTOYA. With respect to what?

Mr. YAUGER. The Stanford visit. We ascertained that she did have a weapon that was seized earlier that day. I said, "Why do you have a weapon?" She said, "Due to my work, undercover capacity, FBI and with the San Francisco police, my life has been threatened."

She also said that recently the FBI in San Francisco and she had discussed this problem, and they had advised her it might be a good idea if she left town, if she was afraid for her life.

I asked her, "Were you going to try to shoot the President?" She replied in a calm voice, "No." I said, "Were you going to shoot a demonstrator?" She said "No", very calmly. I said, "Were you going to create any incident at all at Stanford?" She said, "No".

We asked her more about the weapon. She said she never kept it loaded because of her son. She started talking about her 9-year-old son, Frederick. She gave us a general background information.

We got into her political beliefs. She did not show any animosity to the Ford Administration. She did not show any animosity to the President. She advised us that in fact, prior to Mr. Rockefeller's appointment, that this was a lackluster Administration, that is no one had anything against it, no one could even demonstrate against it. It wasn't controversial.

I entered discussions on her organizational affiliations. She advised me that she belonged to the United Farm Workers, which is the Chavez group. We discussed a Progressive Labor Party demonstration that was going to be taking place the following morning in the Union Square by the St. Francis Hotel.

She said she was not a member of that organization and she was not planning to attend. She said she had taken part in nonviolent protests in the past.

At no time did she display anything that Haskell and I, as intelligence agents, looked for. Some of the things we looked for, we wanted to determine, is this person dangerous? What is her mental stability? Does she have a propensity for violence? Does she dislike the protectee, in this case, the President? Does she dislike the government or authority in general or have unusual interests in a protectee?

On all of these points, if we were talking to any subject at all, and I mentioned the family, and if she hesitates at all, I will lean on that because I don't know what triggers people to go off, you know, to commit a violent act.

But in my interviews, I try to bring out a point that may be touchy to them, because that might be the root of their problem.

I have had interviews where I have mentioned, "Can you tell me anything about your family?", and I have people come right across the interview table at me. They went completely berserk.

In this case, at no time during the interview did she display any signs of mental instability. She seemed to be a woman who felt like she was doing something by being in organizations and that she was doing something by being able to work as an undercover person with the San Francisco Police Department.

She did not appear dangerous to me. In questioning her, her honest answers, in my opinion, she was not a danger to the President or to herself.

CAUSES FOR CONCERN ABOUT MRS. MOORE

Senator MONTROYA. As you look back on that situation, would you in retrospect say that you were wrong?

Mr. YAUGER. Mr. Chairman, with the facts that I had on Sara Moore at the time of the interview, I definitely do not think I was wrong. I would make the same decision again with those facts.

Senator MONTROYA. Do you think something transpired between the time that you interviewed her and the next day?

Mr. YAUGER. That goes back to the unknown factor of what causes someone to change overnight. That is like me trying to say what makes someone kill their mother in a fit of anger. I don't know what happened to her. I don't know if our interview triggered her. I don't know that.

Senator MONTROYA. What kind of concern went through your mind when you became aware that she was armed, that you were not notified that the appointment on Sunday morning had been kept with her and, then later, that she had been arrested and released, and because she had been arrested she was not able to be at Palo Alto during the Presidential visit? What kind of concern did that factual situation arouse in your mind?

Mr. YAUGER. Mr. Chairman, the fact that she had a weapon did not alarm me all that much. It is not unusual for undercover people to seek weapons. Especially, she had a reason, the fact that her life had been threatened.

INFORMER FOR THE SAN FRANCISCO POLICE DEPARTMENT AND FBI

Senator MONTROYA. Did the fact that she was an informer for the San Francisco Police Department and for the FBI affect your judgment to release her or to order a background investigation?

Mr. YAUGER. Mr. Chairman, I would say that led me to believe she had some sense of reliability with these people. But I still wanted to talk to her regardless of what happened that day to make my own decision. I didn't care who she worked for or what credentials she had.

Senator MONTROYA. How well informed were you at the time as to what kind of role of informant she was playing, how long she had played that role and under what circumstances?

Mr. HASKELL. Inspector O'Shea did not, to my knowledge, indicate how long he had worked with her, and Special Agent Brisby of the FBI in Palo Alto advised that at the intelligence briefing on Sunday

the 21st and confirmed that she was a source of information for the FBI.

At that time we did not get into complete details as to how many cases she had worked, what types of cases, et cetera, as we had other lookouts posted for Stanford, and we wanted to make sure that these had been taken care of.

RESULTS OF INTERVIEW

Senator MONTROYA. After this interview you had with her, I understand that you advised Washington of your recommendation. What did you advise Washington?

Mr. YAUGER. I advised Washington of the results of my interview. I gave them the facts as I had them, the results of my interview and my determination that she was not of protective interest, and this was also relayed to Mr. Taylor, the Assistant Special Agent in Charge of the San Francisco Field Office.

Senator MONTROYA. Did they accept your recommendation?

Mr. YAUGER. Yes; Mr. Chairman, they did.

Senator MONTROYA. As a result of this consensus, then, there was no lookout posted for Mrs. Moore on the next day?

Mr. YAUGER. That is true, Mr. Chairman.

JUDGMENT VIEWED IN RETROSPECT

Senator MONTROYA. As you look back in retrospect, do you think your judgment was correct?

Mr. YAUGER. Yes; I do, Mr. Chairman.

Senator MONTROYA. Would you do the same thing in light of this experience?

Mr. YAUGER. I will not let the experience I had in San Francisco affect any future judgment I have. I consider myself a very experienced agent. I have interviewed at least 500 people in all climates all over the world. Given the facts I have at my fingertips, I have to make a decision, and I will continue to make the decisions and with the information I have available to me, I am sure Agent Haskell will concur. I would make the same decision again.

Senator MONTROYA. Even though your judgment proved to be in error?

Mr. YAUGER. I am not convinced that my judgment was in error. In fact, I am convinced it was not in error.

Senator MONTROYA. Given the fact that you did not post a lookout, the fact that you did not do anything affirmatively to stave off any possibility that she might injure the President, wouldn't you say that that is something to be alarmed about?

CROWD SITUATION IN SAN FRANCISCO

Mr. YAUGER. Mr. Chairman, I would like to say a few words along those lines. Working with the police around the country, it is hard on them; it is hard on us. At this time I would like to personally thank the San Francisco Police Department for their outstanding work with us, because they were strapped for men. But they came through.

The fact that has been brought up that my decision might have been incorrect in releasing her, I would like to add that the next

day due to our actions the intelligence function along with our counterparts with the San Francisco Police Department, I believe, was instrumental in keeping the President from walking into the crowd. I will explain.

There was a demonstration going on the morning of the visit to San Francisco. We received information from the San Francisco Police Intelligence Bureau that members of the demonstrating group had put their signs down and had infiltrated the crowd area. The crowd area across from the entrance was approximately 10 deep. There were a lot of people there. The intersections were blocked with people.

It was a big crowd situation. I personally did not like the look of it. When I found out through intelligence people from San Francisco what had happened with the infiltrators, I immediately went to the detail leaders and Agent Caughey, the senior advance agent in charge, and recommended that someone contact the President and advise him not to shake hands.

Upon departure I was out on the street looking at the crowd, looking at the general situation. I can remember having a policeman check an open window in the Elks Club, a high-rise building. I can recall reporting to the command post that the intersection did not have barricades. The police looked like they would be able to handle the crowd.

We had deployed our intelligence men up and down the crowd. I was planning on riding in the response car that follows the motorcade. I was 10 to 15 feet away from Mrs. Moore when the shot went off. I immediately ran to her, recognized her on the scene, and one of the first people I remember seeing was one of our counterparts, Gary Lemos. He had her in a headlock.

Senator MONTROYA. How long had you been at that point?

Mr. YAUGER. Mr. Chairman, we had many things going on that day. When the motorcade was coming in from the airport, we had received information that someone had displayed a threat note to someone in the hotel.

Senator MONTROYA. In those moments prior to the shooting, how long had you been at that point?

Mr. YAUGER. I was trying to build up to the fact that we were very busy. I was in and out of the hotel all day. I had been at the Hyatt Union earlier. I had been at the park. I had been involved in another arrest. I had been in the command post. I had been at all levels where the President was speaking in the St. Francis Hotel.

I would assume just prior to departure, it was probably about 10 minutes before he came out that I was out on the street looking things over.

Senator MONTROYA. I asked how long were you stationed in the area 15 feet away from Mrs. Moore?

Mr. YAUGER. As the President—I knew when the President was coming out. I had just left the intersection that did not have barricades. It was coincidence that I was near her. I was walking up that side of the street looking at the crowd, buildings, when the shot went off.

MRS. MOORE FIRST SIGHTED

Senator MONTTOYA. Were you watching people as you went along, too?

Mr. YAUGER. Yes; I was.

Senator MONTTOYA. You didn't see her?

Mr. YAUGER. No; I didn't.

Senator MONTTOYA. Did you pass her?

Mr. YAUGER. I assume that I did. She recalled later that she thought she saw me looking at her from across the street. She was dressed in a raincoat and sunglasses. I am sure at one time or more during the day I passed within eyesight of her.

ATTEMPTS BY DEFENDANT TO CONTACT THE SECRET SERVICE

Senator MONTTOYA. Tell us about the attempts by Mrs. Moore to contact the Secret Service that morning.

Mr. HASKELL. About 9:30 that morning, the 22d, Mr. Yauger was up in the command post, and there was a message there that Mrs. Moore had attempted to contact either him or myself at the Field Office. It was not until after the incident occurred that we found out that she evidently called the Field Office three times.

Senator MONTTOYA. What happened in that breakdown of communications?

Mr. HASKELL. There was no breakdown in communications. There was a message for us that she had called our command post, which is not unusual. We receive many visits and many phone calls from individuals we have interviewed in such a manner where they will actually come to a Field Office or call us up on the telephone to just talk.

Senator MONTTOYA. Those people who were manning the communications there and who were receiving messages, they did not know that you might have an interest in Mrs. Moore?

Mr. HASKELL. That is correct. At that time we did not have an interest in Mrs. Moore.

Senator MONTTOYA. Did you indicate to Mrs. Moore that if there was anything else on her mind she might call the Secret Service?

Mr. YAUGER. Mr. Chairman, I would like to back up a little bit. One of the men in the command post was aware of Sara Moore because he had worked the spot the day before. He received one call, and the inquiry was she called and said she had been picked up, and he was just calling to verify that she had.

We had a conversation with the Field Office that she had called, left no message, nothing alarming, just a routine call, nothing urgent.

Senator MONTTOYA. This came to your attention?

Mr. YAUGER. That came to my attention before the incident.

Senator MONTTOYA. At what time?

Mr. YAUGER. I would say 10:30 or so.

Senator MONTTOYA. That still didn't concern you?

Mr. YAUGER. No, Mr. Chairman. This happens all the time. As a matter of fact, we had two other people that we talked to that recontacted us. One came to visit one of us at the hotel, and the other made phone calls about getting some items back.

Mr. HASKELL. Mr. Chairman, excuse me, sir. The phone call Mr. Yauger is alluding to to our command post was not from Mrs. Moore. It was from her contact with the FBI, Special Agent Worthington. He had called the command post agent who was familiar with Sara Moore's name because he had worked at the command post the previous day at Stanford.

Mr. Worthington evidently was called to confirm that she had been talking with the Secret Service because evidently he had received a call from her that same Monday morning just to advise him, "You are going to probably find out that I was arrested yesterday, and the Secret Service talked to me last night."

He was calling our command post just to verify that we had in fact talked with her.

Senator MONTROYA. This was on Monday morning?

Mr. HASKELL. Yes, sir.

Senator MONTROYA. Mrs. Moore already knew that you were aware that she had been arrested because of the interview at 10 o'clock on Sunday night; is that right?

Mr. YAUGER. She called the FBI, Mr. Chairman, just to alert them to the fact that we would probably be calling them because we had picked her up the day before. That is why she called the FBI.

Senator MONTROYA. Why did she call your office?

Mr. HASKELL. We don't know. As we mentioned before, it is not unusual for us to hear from subjects time and time again, either by letter, personal visit or by telephone. As Mr. Yauger indicated, one of our other intelligence agents had interviewed an individual, and he came to the hotel asking for that special agent who did re-interview the individual.

I also received a message from an individual we had talked to at Stanford who just wanted to call regarding getting an item back that the police had down at their department in Palo Alto.

Senator MONTROYA. Of how many calls were you aware she had made prior to the incident on Monday afternoon?

Mr. HASKELL. One call.

Senator MONTROYA. One call?

Mr. HASKELL. Yes, sir.

Senator MONTROYA. Did you subsequently check to ascertain if she had called other times?

Mr. HASKELL. No, sir. The message that was passed on to us from our duty agent at the Field Office was that she did not have a telephone at home. She was calling from a phone booth. The agent tried to inquire as to the nature of her call and tried to assist her.

She said, "That is okay; I will get hold of him later." There was no apparent alarm in her voice or urgency in the call.

THREE CALLS ATTEMPTED BY MRS. MOORE

Senator MONTROYA. We have information that she called three times.

Mr. HASKELL. That is what we found out later.

Senator MONTROYA. Is that information correct?

Mr. HASKELL. To the best of my knowledge, it is. The first call was answered by our answering service prior to the office opening up that morning, and there was no message, just the fact that she had called.

Another call, there was again no message. She was just inquiring if Mr. Auger or I had arrived at the office yet. The secretary said no, and there was no message.

Senator MONTROYA. Did she identify herself each time?

Mr. HASKELL. Yes, sir.

Senator MONTROYA. You were only advised of one call?

Mr. HASKELL. That is correct. In other words, Mr. Chairman, there was only one message at the command post for us.

Senator MONTROYA. Would it have increased your concern if you had become aware that she had called two times?

Mr. HASKELL. Absolutely not, sir.

SPOTTING SUSPECTS IN A CROWD

Senator MONTROYA. Agent Auger, what would you have done if you had spotted Mrs. Moore in the crowd that day?

Mr. YAUGER. In telling that, I would like to relate a story that happened to me in 1972.

Senator MONTROYA. All right.

Mr. YAUGER. It was toward the end of the McGovern swing. An individual got on the press plane in Philadelphia. He wanted to join the campaign victory with the Senator in Sioux Falls, S. Dak.

Senator EAGLETON. Let the record show that proves he was a nut.

[Laughter.]

Mr. YAUGER. Needless to say, I removed that young man from the press plane immediately. He was interviewed by our Philadelphia agent while we headed West. We had a Midwest stop, a stop in California and a final stop in Sioux Falls.

Unknown to me, the gentleman they had talked to in Philadelphia immediately booked airline reservations to Sioux Falls. I was in front of the Senator working the lobby, looking for strange individuals, and I spotted this individual, the same one I had thrown off the plane. I immediately collared him and re-interviewed him.

If I had spotted Sara Moore in a crowd, and I look for people all the time, people that I know. We have people from the P.D. with us that know people, like people that have had mental problems, and their local squads know them better than we do. I am always looking for people like that. If I had spotted Sara Moore, I would at the least have searched her pocketbook.

DETERMINING BY AN INTERVIEW IF A SUSPECT IS A THREAT

Senator MONTROYA. Senator Bellmon, do you have any questions?

Senator BELLMON. When you gentlemen interviewed Mrs. Moore, did you do so with a preconceived notion as to her degree of danger to the President? Did you feel she was a threat, or what notion did you have about her?

Mr. YAUGER. Senator, before I interview anybody, if I receive information from the police on an individual that has mentioned going somewhere, where the President is going to be, I consider that person a threat until I talk to them, until I can determine in my mind that the person is a threat or not.

Senator BELLMON. How do you determine if they are a threat?

Mr. YAUGER. Senator, as I mentioned earlier, we question them, and we look for certain factors of danger, as I mentioned, their mental condition. Are they violent? Do they hate the President? Do they hate Vice President Rockefeller? Do they hate the U.S. Government?

Some people come to the White House and say, "I want to leave this country." That is one of the main reasons they come. Unusual behavior during the interview. I look for anything that makes me think either the person is lying to me or has some mental problem, something that they can't control.

Mr. HASKELL. Senator, also, a lot of people come to our attention that do have what they feel in their minds are gripes with certain branches of the Government.

When we interview them, we try to establish what their problem is, and a lot of times it is something that can be at least listened to or rectified through some other government agency.

A lot of times they will direct their attention to the President, not because his name is Ford or Johnson or Nixon, whatever, but because they know that the President is the top official in the country, and no one else will listen to them.

So they have to go to the President to resolve their problems. A lot of times when we interview people, we catch this, and we do refer them to the proper people and the proper agency.

INFORMANT FOR THE SAN FRANCISCO POLICE AND FBI

Senator BELLMON. At the time you interviewed Mrs. Moore, you were aware of the fact that she had been an informant for three different agencies, were you not?

Mr. YAUGER. Just two, the FBI and San Francisco.

Senator BELLMON. Didn't she also work with the Bureau of Alcohol, Tobacco, and Firearms?

Mr. HASKELL. Senator, at that time during the interview it was not known to her that that individual was an ATF undercover agent until we mentioned it. We were under the assumption that she already knew.

Mr. YAUGER. In fact, Senator, she commented, she said, "I should have known something was wrong when three guys showed up this morning." She was referring to the morning she met the ATF undercover agent.

Senator BELLMON. Did the fact that she was an informant tend to make you look upon her with a little less caution than you might have otherwise?

Mr. YAUGER. I don't think so. I know I didn't let that fact make me decide that, well, you know, that she was not of protective interest to the President because she had worked for these organizations. It just made me feel that she was reliable.

When I say reliable, when I asked her if she was going to come to the demonstration tomorrow, and she came back with an honest answer, "No, I am not a member of that organization.", I believed her.

But the overall decision of releasing Sara Moore and not placing any further lookouts or passing out photos on her was our decision based on our interview.

Senator BELLMON. You don't feel the fact that she was a known informant caused you to release her, when you might otherwise have held her?

Mr. YAUGER. No, sir, I do not.

Senator BELLMON. Did the fact that she had possession of a gun—I am talking about the .44 that the police took away from her—the fact that she had been helping the ATF agents buy guns have any influence on your decision?

Mr. YAUGER. I don't think it did. The only thing that fact made me do was when we initially got the information, the fact that Inspector O'Shea told us that he was sure she would show up, that she was reliable, that was the only time I heard of reliability.

I still wanted to talk to her. I wasn't satisfied myself, although Inspector O'Shea assured me she would make the meeting, which she did. But the fact she did show for the meeting that day had nothing to do with my decision to release her. My interview determined that we would release her.

AUTHORITY TO DETAIN A SUSPECT

Senator BELLMON. If you had determined that she was potentially dangerous, did you have authority to hold her?

Mr. YAUGER. In California, a peace officer can have someone held for 72 hours. We would have taken her to a uniformed officer and had him take care of that matter.

Senator BELLMON. I believe the lieutenant this morning testified he didn't hold her more than 2 hours?

Mr. HASKELL. Senator, in California, if a person is deemed dangerous to herself or others and also has some type of mental instability coupled with this, a peace officer in the State of California can sign papers that will have that person institutionalized for a 72-hour period, at which time an examination is undergone during that period.

Senator BELLMON. You would have used that device if you felt it necessary?

EXCEPTIONS TO PEACE OFFICER STATUS

Mr. HASKELL. Yes, sir.

The Secret Service does not hold the status of peace officer in the State of California. So we would have to have gone to an agency such as the San Francisco Police Department and have one of their officers execute the documents.

Senator BELLMON. Do you mean to say now that you don't have the same status in California as you may have in other States?

Mr. HASKELL. That is correct, sir. The California Penal Code does not reflect that the U.S. Secret Service or its agents are deemed peace officers in that State.

In other States, there are statutes, amendments. I am not 100 percent sure, but I believe there is an amendment to be proposed or may be pending in the State legislature out there.

Senator BELLMON. Is California the only State where you have a second-class status?

Mr. HASKELL. No, sir. But I don't know the other States. I do know that there are other States where we do not enjoy peace officer status.

Senator BELLMON. Would it be helpful to you in the performance of your duty if you had a uniform Federal statute dealing with this problem?

Mr. YAUGER. There have been situations, Senator, where that answer would be "Yes".

I was on a trip once to the South, and we had an individual that I was concerned with. He loved the President so much, but he had a mental problem, and if he had shown up, we knew we were going to have something on our hands.

The local laws were such that I could not commit this gentleman. His parents begged me to commit him. I could not do it because of the local laws.

If I had been able to commit this gentleman, it would have solved some problems. What I did do was to arrange for the police to follow him around the next day because I did not have the power to put this gentleman in for treatment during the visit.

In the Sara Moore case, if we had had it there, it would not have applied to her case because we determined she was not mentally unstable.

MAKING A DETERMINATION ABOUT MRS. MOORE

Senator BELLMON. In making the determination that she was not going to be dangerous, did the fact that a member of the San Francisco Police Department had said Moore was no problem have any influence upon your decision?

Mr. YAUGER. No, Senator.

Senator BELLMON. So that to get right down to it, then, the fact she was an informer, the fact she was carrying a gun, the fact that she called in three times, none of these things caused you to be concerned.

I am really at a little bit of a loss to know why your suspicions weren't more aroused. Is there some reason why you really didn't feel like this one was going to be a problem?

Mr. YAUGER. Back again to the fact, Senator, that we had at the time, knowing she had—we had heard she had no police record, no violent acts—that she had been involved in an informant status with several organizations, that led me to believe that she probably was more of a non-violent type.

But I still had to interview her to make the decision. I might add, Senator, that the weapon thing did not really alarm me that much because, again, I have come in contact with people carrying weapons all over the United States. She came up with a logical reason why she had that weapon for three weeks, for personal protection, so that did not alarm me.

Senator BELLMON. You mentioned that in the case of this person down South you arranged for the police to provide surveillance. Did the idea cross your mind that this woman might need the same kind of attention?

Mr. YAUGER. She displayed none of the mental problems that the individual down South did.

SURVEILLANCE OF DEFENDANT

Senator BELLMON. Did you ask for surveillance?

Mr. YAUGER. On Miss Moore?

Senator BELLMON. Yes.

Mr. YAUGER. No, Senator. We did not deem that to be necessary, after we made our final decision to release her.

Senator BELLMON. This is prior to the interview? You didn't ask for surveillance prior to the interview?

Mr. HASKELL. Senator, prior to the interview when we did not know her exact whereabouts, we did set up an APB, and we asked Inspector O'Shea to set up surveillance on her because it was our first indication that she was to be arrested following the ATF undercover buy for possession of that .44 weapon.

After her interview, we deemed her not of protective interest for any protectees of our service. So with that we would not have considered surveillance on her the next day.

This is a completely different incident than what Mr. Yauger explained about what happened down South. That person was in fact a problem. We couldn't commit that person, and so surveillance was the only outlet.

In this case we had deemed her not of protective interest, so we did not even consider surveillance.

GUN CONTROL LEGISLATION

Senator BELLMON. Let me ask one final question and you may not even want to comment on it. If you don't, I understand. There is considerable interest in Congress for further gun control legislation. Do you have any opinion about that subject based on the experience in the work you do?

Mr. HASKELL. No opinion, sir. I would refer any comments to our Director of the United States Secret Service.

Senator BELLMON. That is your position?

Mr. YAUGER. Yes.

Senator BELLMON. That is all I have, Mr. Chairman.

Senator MONTOYA. Senator Eagleton?

FIRST KNOWLEDGE OF MRS. MOORE

Senator EAGLETON. Mr. Haskell, when was it that you first heard of Sara Jane Moore?

Mr. HASKELL. At approximately 7:45 p.m., Saturday, September 20 of this year, sir.

Senator EAGLETON. Is that the same with respect to you, Mr. Yauger?

Mr. YAUGER. Yes, Senator.

TELEPHONE CONVERSATIONS WITH INSPECTOR O'SHEA

Senator EAGLETON. Mr. Haskell, you mentioned that at 8:15 on Saturday, you called O'Shea at his home and mentioned that in calling him a second time at 9:46 p.m., and that that conversation took 13 minutes.

The present situation with which you recall those times causes me to believe that you probably made contemporaneous notes?

Mr. HASKELL. No, sir. I checked on the toll calls that are recorded by the hotel and show that at 9:46 p.m. that evening a phone call

was placed to his residence, and it lasted for 13 minutes, for billing purposes.

Senator EAGLETON. Since the events, have you made what is sometimes called reconstructive notes, thinking back to that time and reconstructing that conversation, and reducing it to writing?

Mr. HASKELL. Yes, we have.

Senator EAGLETON. Did you bring any of those documents with you?

Mr. HASKELL. Yes, sir, I did.

Senator EAGLETON. With respect to either of those two phone calls, 8:15 or 9:46, can you tell us what Inspector O'Shea said about Sara Jane Moore?

Mr. HASKELL. Yes, Senator. Once again, Mr. O'Shea identified who he was. I had not previously met him prior to this occasion. He gave me the name of Sara Jane Moore.

Senator EAGLETON. Are you reading from the notes, refreshing your memory?

Mr. HASKELL. I have them here with me, if I need to refresh it. But during the conversation he gave basic background on her, that she was an informer of his, the Bureau—the FBI. Further, that she was involved in an attempted undercover firearms buy the following day and then, of course, led into why or the purpose of his trying to contact us, stating that—in referring to the gun dealer—that this person was a right-winger, and she wanted to check to see if the system would treat the right as it does the leftwing.

Further, that she requested this meeting to go, or to be scheduled, in the morning hours of Sunday, the 21st, as she had a 2 o'clock appointment in Palo Alto.

He inquired as to that appointment. She stated, "Do you think I can get arrested for going down to Stanford to participate in the demonstrations?" He said, "What do you mean?"

She was alleged to have said, "I carry a gun with me all the time." Inspector O'Shea advised me that he responded, "Well, yes, if you do go to Stanford, you probably could be arrested for carrying a weapon."

Then she is reputed to have further said, "I am just going down there to test the system" This is when Inspector O'Shea stated he did not know what she meant by this conversation and because of the recent events that had occurred in Sacramento 2 weeks prior, he wanted to pass this information on to someone. Evidently he did not know of our responsibilities and contacted the FBI.

Senator EAGLETON. He said he had contacted the FBI as well?

Mr. HASKELL. No, the FBI did not come into the conversation to me. I was just speculating because he did not contact us directly. We got the information or the notification that he had tried, left messages to the FBI.

Senator EAGLETON. So he said he was passing this information on because of the earlier events in Sacramento?

Mr. HASKELL. That is correct.

Senator EAGLETON. He did not say that this could be another Squeaky Fromme, or he did not say that this could possibly be another Squeaky Fromme?

Mr. HASKELL. That is correct. He did not mention Squeaky Fromme, sir.

Senator EAGLETON. Mr. Yauger has stated that even if he had phrased his statements that way, it would not have made any difference to him. Would it have made any difference to you if he had said that this might be another Squeaky Fromme?

Mr. HASKELL. Not at all, Senator.

Senator EAGLETON. Would it have made any difference in your mind if you had learned he had also made the same statement, that is O'Shea, that this might be another Squeaky Fromme to the FBI?

Mr. HASKELL. No, sir.

Senator EAGLETON. Or to wrap it up, that he also made that same statement to Mr. Schaeffer, who is an agent of the Alcohol, Tobacco, and Firearms Bureau, the cumulative effect that he, on three occasions, said that this might be or might possibly be another Squeaky Fromme, that would not weigh in your retrospective determination?

Mr. HASKELL. If that is what he thought he said, no, sir, it would not have made any difference. I read earlier the FBI teletype which did not mention the name Squeaky Fromme and, knowing the FBI and their details in reporting, I am sure that that phrase would have been included in that teletype.

DISCUSSIONS WITH OTHER FEDERAL OFFICIALS

Senator EAGLETON. Do you know FBI Agent Hulse?

Mr. HASKELL. No, I did not, sir.

Senator EAGLETON. Have you talked to him on the telephone since the events of September 22?

Mr. HASKELL. No, I have not.

Senator EAGLETON. Do you know the Federal Alcohol, Tobacco, and Firearms Agent Schaeffer?

Mr. HASKELL. Yes, I do.

Senator EAGLETON. Did you know him prior to the events of September 22?

Mr. HASKELL. Yes, sir. He attended several intelligence meetings prior to the advance team arriving that I had briefed prior to the pending visit as early as August 7 of this year, in regards to any possible demonstrations during the visit of individuals that we should be on the look out for.

Senator EAGLETON. Have you talked to Federal Agent Schaeffer since the events of September 22?

Mr. HASKELL. Yes, I have. I talked to him on the day of the 22d, following the incident. I don't know if we are getting into Executive Session-type testimony now about the reason why I called him or not.

Senator EAGLETON. Does it have to do with the instant matter with respect to Mrs. Moore and the attempted assassinations of the President?

Mr. HASKELL. Yes, it does.

Senator EAGLETON. Would the answering of the question even remotely reveal the identity of an undercover agent or compromise investigative techniques?

Mr. HASKELL. No. I did call him to advise what had occurred that day, the manner in which it had occurred and the name of a person that she had divulged from whom she had obtained the weapon.

Senator EAGLETON. I see.

In that conversation with Schaeffer or any other conversation since the events with Schaeffer, did Schaeffer mention to you the fact that O'Shea called him on Saturday?

Mr. HASKELL. No, sir, he did not.

CONVERSATION WITH INSPECTOR O'SHEA ON SUNDAY

Senator EAGLETON. Moving on to Sunday night, and you were with Mr. Yauger at 11 p.m. at your field office, in San Francisco; is that right?

Mr. HASKELL. Yes, sir, I was with Mr. Yauger.

Senator EAGLETON. It was during the interview of Sara Jane Moore; right?

Mr. HASKELL. Yes, sir.

Senator EAGLETON. Have we gone through the sequence of this phone call where Mrs. Moore called Inspector O'Shea and then prematurely hung up, and Mr. Yauger called back?

It is Inspector O'Shea's testimony that the question Yauger asked is: "Is there anything more?" It is Yauger's testimony that he said, "Do I have any problem with this lady?" Which way did you hear it?

Mr. HASKELL. I was not listening on the phone of course. So I only heard Mr. Yauger's question. I recall Mr. Yauger stating, "Is there a problem with her?"

Senator EAGLETON. "Is there a problem with her?"

Mr. HASKELL. Yes, sir.

Senator EAGLETON. O'Shea's answer was, "No." Everybody has testified to that. It was just a one word answer.

Mr. HASKELL, if your question had been "Is there anything more?", and the answer is "No", the obvious question vis-a-vis "Is there a problem with this lady?", those questions are significantly and materially different, are they not?

Mr. HASKELL. It is difficult to speculate.

Senator EAGLETON. "Is there a problem with this lady?", is a very specific question that would elicit a responsive answer. "Is there anything more?" is a very general question that could call for an outpouring of innocuous information.

"Is there a problem with this lady?" is a much more probing question, wouldn't you say?

Mr. HASKELL. Yes, sir, I agree.

Mr. YAUGER. Senator, as I recall, I said something to the effect that included both of those statements, something like, "Do you see any problem, do we need anything, anymore information?", or anything like that, which goes along with what he said. That is what—

Senator EAGLETON. You said it could have been, "Do we have a problem with this lady; is there anything more?" "No." and it could have been something like that?

Mr. YAUGER. Something like that; yes, Senator.

EVENTS LEADING UP TO 11 P.M. SUNDAY

Senator EAGLETON. Let me see, Mr. Haskell, if I can in part summarize this insofar as the action which was not taken at 11 p.m. on Sunday night.

During the course of the previous day or so, you had explained that it was urgent that you get hold of Inspector O'Shea to learn what had been done with Sara Moore, and you were pleased when they put out an All Points Bulletin. You knew that she had access to guns and, indeed, was involved in some kind of a gun caper on Sunday morning. You were pleased when the San Francisco Police Department did arrest her. You knew that the FBI had sent a telegram about Sara Moore to—

Mr. HASKELL. At that time I did not, sir.

Senator EAGLETON. That came in later because the telegram was sent at 7 o'clock that morning. You were pleased when Inspector O'Shea told you he was going to put her under surveillance on Saturday; at 9 p.m., Saturday, your arduous day at Palo Alto, and a lot of work. You were concerned enough for you and Yauger to go to the city jail to talk to Sara Moore.

Mr. HASKELL. We were going there to check on her disposition.

Senator EAGLETON. When you found she wasn't there, you then called Inspector O'Shea because you wanted to know where she was, what happened to her?

Mr. HASKELL. That is correct.

Senator EAGLETON. You then went to her home, and then you brought her into the Secret Service Field Office for this hour interview with Mr. Yauger being the principal interrogator of the interview.

I wonder in light of all of those events which give evidence that you were concerned about this lady, interested in this lady, that all those concerns dissipated as a result of the interview.

So my question to both of you, Mr. Haskell and Mr. Yauger, is how valid is the interview, if it can erase the slate, the slate of concern that you two gentlemen had evidenced for almost 2 days about Sara Moore? How does one that caused you to be that much trouble for a considerable period of time all of a sudden become less troublesome?

Mr. HASKELL. Senator, our concern for her earlier that day on Sunday when we were at Stanford was due to the fact that our previous understanding with Inspector O'Shea was that, No. 1, she definitely would meet with him at 9:30 Sunday morning, that they would have control of her during that morning on the undercover buy, and that subsequent to the undercover buy she would be arrested for possession of that .44 Charter Arms revolver which, in my mind, means since it is a weekend she would be incarcerated until she could go before a judge on Monday, at which time bail would be set.

It was not until later that evening when we found out she had not been booked and I did initiate the call to Inspector O'Shea, that we found she had only been cited for a misdemeanor and released.

So, also, Inspector O'Shea earlier that day was supposed to get to us, whether or not she had in fact made the 9:30 meeting, and

when we had not heard from him by 10:30, we initiated calls to try to reach him.

By one o'clock when I still couldn't reach him, we felt—I didn't reach him because I didn't have a call sign, and he did respond later and indicated that she was in fact not in custody. At that time, we requested that she be placed under surveillance. We initiated that with him.

In the event that that surveillance could be undertaken, but she was not at home is the only reason why we placed an APB with the Palo Alto Police Department and with the Stanford University Police in case she had felt, "Well, now, my undercover thing is done; I am going to go to Stanford to demonstrate." If the police unit had not been able to identify that she was at home when the surveillance was undertaken, we wanted to make sure that we intercepted her prior to getting in the proximity of the President later that day.

As it turned out, all the events occurred, including her arrest at approximately two hours, I believe, before the President's arrival at Stanford.

That was the only concern, because we had not had communications earlier that day with the Inspector, and we were not sure of her location, although we could not locate the Inspector which gave some credence to the fact that he was probably with her.

IMPORTANCE OF PERSONAL INTERVIEW

Senator EAGLETON. This may be impossible to answer. If it is, I fully understand.

It seems to me, listening to both Mr. Haskell and Mr. Yauger, that they put great emphasis and great stress on the personal interview. So I ask you gentlemen, is the personal interview, the really make or break point insofar as a decision to seek attention under appropriate State law? Is it really the crux of the matter insofar as your training and your experience would cause you to believe?

Mr. YAUGER. Senator, in a situation like this, I would say, "Yes, it is." Knowing the gun laws, the commitment laws, the fact that the unloaded gun is a misdemeanor, she had a reason to carry it, the fact that as a result of the interview she was not committable, we leaned back on our training and previous interviews.

As I mentioned before, I have had hundreds of interviews and this is the first time that I can recall a subject returning to our attention in a violent nature.

We have had case studies done in the Intelligence Division by outside agencies. We have had clinical psychologists review cases, versus two agents reviewing the same cases.

They gave us good ratings. They say that we have to make decisions that trained psychologists cannot make. Basically, the interview in a situation like that is a key point.

That decision, we have to decide whether to let her go, follow up by surveilling her in the morning, do I attempt to have her committed or attempt to have her arrested for some offense.

THE SITUATION IN RETROSPECT

Senator EAGLETON. One final question somewhat in the nature of one that has been asked by Senator Montoya, this sort of a retrospective analysis.

Looking back in retrospect, would it have been wise at a minimum after the interview to have asked the San Francisco Police Department to circulate her photograph amongst the police officers and other law enforcement agencies who were going to be working the crowds that day, at two primary places, the Hyatt House Hotel and the St. Francis Hotel, both of which, as I recall, are on Union Square, one at one end of the Square and one at the other?

Mr. YAUGER. I don't think so, Senator. The San Francisco Police were working hard as it was. We had other individuals that we had as lookouts that we were still concerned with the fact that we had talked to Mrs. Moore and made our decision. She was just one less person that we had to be concerned about the next day.

Senator EAGLETON. Thank you, Mr. Chairman.

TELEPHONE CALLS PLACED BY MRS. MOORE

Senator MONTROYA. I have two or three additional questions.

Going back to the information which you received about Mrs. Moore's calls on Monday morning, I believe that it was about 9:30 when you were notified by the communications center of the Secret Service that Mrs. Moore had called. Is that correct?

Mr. YAUGER. I don't recall the exact time. I know that the command post had that information for a time before I got there because I was working on other matters.

Senator MONTROYA. But was it about that time?

Mr. YAUGER. I would say that is a fair estimate. Yes, sir.

Senator MONTROYA. And the assassination attempt took place at 3:30 in the afternoon and in this interim also you also received some information that the FBI had been contacted by Mrs. Moore?

Mr. YAUGER. That is correct.

Senator MONTROYA. So you actually received two bits of information with respect to Mrs. Moore's call?

Mr. YAUGER. Mr. Chairman, the fact that the FBI call was not passed to us, because Mr. Worthington was talking with an agent in the command post who was familiar with Sara Moore. He was just calling to confirm had she been arrested. No message at all that she was trying to seek anybody. That was not disseminated to us.

Senator MONTROYA. I understood the testimony of one of you a few minutes ago to indicate that Mrs. Moore had called.

Mr. YAUGER. We found that out later. The fact is, I called our Field Office. I had a message to call the Field Office, our duty agent, who said she had called, but left no message.

Senator MONTROYA. Was this after the incident?

Mr. YAUGER. No. This was before the incident.

Senator MONTROYA. That is what I am referring to. What time was it?

Mr. YAUGER. I would say I probably got the information on Sara sometime shortly after 10.

Senator MONTROYA. So between 9:30 and 3:30 when the attempt was made, you received two communications, one from the FBI to somebody else, and then to you. And the other was from communications headquarters of the Secret Service.

Mr. YAUGER. That is true. The one communication from the Federal Bureau of Investigation did not leave the command post because they had a personal conversation about something he knew about, and there was nothing said to pass a message on.

Mr. HASKELL. We didn't know about the FBI communication until after the incident. The agent in command of the command post had satisfied the questions of the Bureau agent and that agent did not pass that information on to us until later that day.

Senator MONTROYA. Didn't I understand you to say that at about 11:30 you did receive some communication from the FBI through this source at the central receiving center of the Secret Service?

Mr. YAUGER. I received my only notification of Sara Moore from the Secret Service duty agent.

Senator MONTROYA. That was between 9:30 and 3:30?

Mr. YAUGER. That was sometime after 9:30 when I talked to him. That is the only one. I did not have any notification that the FBI had called the command post.

Senator MONTROYA. According to the Secret Service chronology, which I have received, this information about Sara Moore's trying to communicate with you people, was received after 9:30. Is that not correct? That is on page 7.

Mr. YAUGER. It says approximately—the agent was not sure—some time between 9:30 and 10.

Senator MONTROYA. You were also advised that she would be calling you later. I am talking about Agents Yauger and Haskell.

Mr. HASKELL. That is correct.

Senator MONTROYA. Did that arouse any new interest in your mind that she was really trying to contact you?

Mr. YAUGER. Mr. Chairman, not at all. Her conversations with our Field Office were not alarming in nature. She did not appear overwrought. It did not upset me at all that she had been trying to contact us.

Senator MONTROYA. Then why did you people order a background investigation on Sara Moore during this period?

Mr. YAUGER. Since we had interviewed her and since at one time she displayed an interest to go to an area where the President was going to be, although she had said she wasn't going to create any harm.

Our protectees travel a lot. In the interim of his travel between the last trip and his next one, we wanted to find out a little more about her just to verify for our records that she was an FBI informant and to see if she had a background of mental illness.

Senator MONTROYA. Did the interview, in your mind, provide conclusive evidence that she was all right?

Mr. YAUGER. With the information I had available to me at the time, it was conclusive that she was all right.

SURVEILLANCE OF SUSPECTS

Senator MONTROYA. Let me ask you this question: Between Sunday and 3:30 Monday, how many people were you looking for as possible potential assassins or people who might do some harm to the President?

Mr. YAUGER. Mr. Chairman, we had two individuals. Both of them had been interviewed and determined to be not of protective interest. However, these two individuals continued either by writing letters or showing up at sites where the President was going to be, they still displayed interest in the President.

We had information on one individual that originated in New Mexico. Located in Oregon, he lived near Palo Alto. We had a lookout for him because he had been observed on campus a few days earlier with two members of an organization that five years ago was involved in a bombing on campus. We wanted to know where this gentleman was.

The other gentleman has been running all over California with a 30.06 going into bank lobbies. He is currently going to be committed out there. But at the time his location was unknown. It was just a precautionary measure. We wanted him and this other gentleman. If they showed up on campus, we wanted to know about it.

Senator MONTROYA. How many people did you have under surveillance by the San Francisco Police Department? Are you aware of the number?

Mr. HASKELL. The San Francisco Police Department was only requested to establish surveillance on Sara Moore, on Sunday, the day before the visit to San Francisco, only because she had not been arrested for the gun charges.

Other than that individual they, to our knowledge, anyway did not have any surveillance set up on anyone else during the San Francisco portion of the visit.

JUDGMENT ON ACTION TAKEN

Senator MONTROYA. I believe this concludes our testimony, gentlemen, except for one question. Will you remain there for a minute?

I would like to ask Lieutenant Ryan of the San Francisco Police Department the following question which was submitted to me by Senator Bellmon. You may answer it from where you are seated.

Just one question: You have heard the testimony here today, Lieutenant Ryan, and given the same set of circumstances as well as the same information available to Agents Yauger and Haskell, what would your judgment have been as to the danger of Mrs. Moore with respect to any overt act she possibly might make against the President?

Lieutenant RYAN. I would have probably—no. Absolutely, I would have made the same judgment.

Senator MONTROYA. The same judgment?

Lieutenant RYAN. Yes, sir.

Senator MONTROYA. Thank you, sir.

Mr. HASKELL. Mr. Chairman, I would like to reaffirm what Mr. Yauger mentioned.

When the actual visit is being undertaken and we have all sorts of contingency plans if something does happen physically, when that

incident did occur on Sunday afternoon, the San Francisco Police Department and the California Highway Patrol responded immediately, very efficiently and very professionally to the situation at hand.

I do want that to go on record. The President was not hurt. His motorcade was under immediate security before, during, and after, and had no problems in vacating the area.

I credit the San Francisco Police Department and the California Highway Patrol for acting in a professional manner, under the circumstances.

PERFORMANCE OF THE SECRET SERVICE

Mr. YAUGER. Mr. Chairman, I would also like to add that the mission of the Secret Service is very demanding. We have to make decisions every day. My co-workers are making decisions right now.

I have been involved with a lot of people in my life. I have had several jobs, but I have never been associated with such a fine group as my fellow men and women in the Secret Service, their dedication to duty and devotion to the job is unquestioned, and I am proud of being a member of that Service.

Thank you very much for your time.

Senator MONTROYA. May I say in conclusion, gentlemen, that we are very grateful for the forthrightness, and the candor that you have displayed in offering your testimony here this afternoon.

I want to say that I think the world of the Secret Service. It is a fine organization. It is a dedicated organization. I hope that nobody will find fault with the Secret Service in this situation.

ERRORS IN HUMAN JUDGMENT

I said in the beginning that what might have happened or did happen, was perhaps the result of human judgment which proved to be erroneous, and we, in retrospect, have found that to be the case.

I think you gentlemen, the Secret Service personnel assigned to the President, did a very diligent job, a very thorough job. The San Francisco Police Department did equally as good a job.

PURPOSE AND WORTH OF SUBCOMMITTEE HEARINGS

The hearings were called, as I stated before, not to accuse anybody, but rather to serve as a constructive forum from which we could emerge with some possible solutions or a new alertness with respect to maintaining the safety of the President.

I am certain that the hearings have been constructive in this regard.

I hope that the State governments might analyze and evaluate what happened in these situations so that they, in turn, can enact local laws which provide for the detention of potential assassins of any public officials, from the President on down. Such ordinances should, of course, be enacted within all necessary and proper constitutional limitations and safeguards.

The hearings have revealed the need for an examination of Federal and State laws relating to the detention authority by peace officers of individuals who are considered potentially dangerous to the President. They must be accommodated within the appropriate constitu-

tional limitations, as stated before, to ensure the rights of every American citizen.

It is essential that the system of coordination among the various Federal, State, and local law enforcement agencies be intensified as it relates to the passage of intelligence information concerning Secret Service protective measures. I hope the hearings will have served this purpose.

Thank you all very much.

CONCLUSION OF HEARINGS

This concludes these hearings into the protective measures of the Secret Service. We will stand in recess subject to the call of the Chair.

[Whereupon, at 4:25 p.m., Wednesday, October 1, the hearings were concluded and the subcommittee was recessed, to reconvene at the call of the Chair.]

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