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STATE DEPT. ORDER TO CHECK TEACHER STIRS UP STORM

BY DON IRWIN
Times Staff Writer

WASHINGTON — A short-lived State Department order for two U.S. embassies to comply with an FBI request to keep a special watch on a Harvard professor's European travels kicked up a storm Wednesday. The State Department confirmed that the order had been issued, then rescinded. The FBI had no comment.

Sen. Edward M. (Ted) Kennedy (D-Mass.) demanded that Secretary of State Dean Rusk provide a full explanation of the relationship between the State Department's Passport Office and government investigatory agencies.

The central figure in the case is H. Stuart Hughes, a Harvard history professor who is not only a constituent of Sen. Kennedy but ran as an independent third-party candidate in the 1962 Massachusetts Senate race that gave Kennedy his seat.

Robert J. McCloskey, State Department spokesman, said an order asking the Paris and Moscow embassies to watch Hughes had been sent out March 8 by the Passport Office, headed by Miss Frances G. Knight. He said it was countermanded March 16 by Philip B. Heymann, deputy administrator of the State Department's Bureau of Consular and Security Affairs.

McCloskey said the first order, which stated that Hughes "in the past has had strong convictions toward communism," followed receipt of an FBI request Feb. 6 for a report on Hughes' travels. The order was held up, he told

a news briefing, because it failed to comply with new procedures which require that Heymann's office clear any such requests.

Security Reports

McCloskey said it has been the department's practice to "cooperate" with requests from security agencies for reports on U.S. citizens traveling abroad.

Denying that the State Department conducts active investigations of these travelers, McCloskey said it does no more than pass along germane information which it may receive. He said the practice had been followed for "a number of years," but he was unable to estimate the number of requests the department had acted on.

Kennedy wrote Rusk that he personally knows his onetime opponent and considers him "a gentleman of integrity who has expressed his convictions in an honest and forthright fashion.

"Regardless of the individual involved, however," Kennedy continued, "I am dismayed to discover that once a passport is granted to a U.S. citizen to travel freely in the countries of his intention he may still be differentiated from other citizens by prior messages to our embassies concerning his political beliefs and calling for some sort of surveillance."

Observing that passport holders are entitled to protection, not investigations from U.S. embassies abroad, Kennedy asked Rusk for a copy of the messages in the Hughes case "to determine who makes the judgment that a traveling citizen is pro-Communist."

He further requested the Paris and Moscow embassies that "Mr. Hughes had testified on behalf of Robert A. Soblen, a convicted spy, at a hearing for a retrial."

1 — An explanation of the relationship between the Passport Office and the government's investigatory agencies, which presumably would include the Central Intelligence Agency as well as the FBI.

A statement on the basis of authority for the Passport Office to request embassies to undertake investigations of private U.S. citizens traveling abroad, with details on the number of such surveys and who conducts them.

Reached at his home in Cambridge, Mass., Hughes said he had yet to apply for renewal of his three-year-old passport, mainly because he does not plan to leave until September. He plans a sabbatical year in Europe.

No Russia Visit

Denying any intention to visit Russia, despite the department's order to the Moscow embassy, Hughes said he expected to spend most of his time in France. But he also said he planned to visit Britain, Italy, West Germany and "possibly" Greece and Yugoslavia. Hughes said he has visited Russia once, on a 10-day "tourist trip" in 1960.

Hughes also issued a statement. In it, he blamed the "sudden interest on the part of the FBI" on his "outspoken opposition to the war in Vietnam." He is cochairman with Dr. Benjamin Spock of the National Committee for a Sane Nuclear Policy (SANE), which advocates international nuclear disarmament.

Hughes confirmed a reference in the Passport Office's original order which McCloskey said advised

the Paris and Moscow embassies that "Mr. Hughes had testified on behalf of Robert A. Soblen, a convicted spy, at a hearing for a retrial."

Work in OSS

Hughes said in his statement that he testified in 1961 at the second trial of Soblen "at the request of

his defense lawyer because of my specialized knowledge as a former OSS (Office of Strategic Services) officer of the sort of work Dr. Soblen had done for that organization" during World War II.

"I was convinced that in doing his job for the OSS he did not have information on highly secret weapons," the statement said.

Hughes took the position that his views on communism were "a matter of public record" and referred questioners to his book, "An Approach to Peace," published in 1962.

On this score, Hughes said he had been an early supporter of the late Henry A. Wallace, the Progressive Party Presidential candidate in 1948, but

had "quietly left the scene" during the campaign because he "felt the movement was dominated by Communists."

Schwartz Issue

The Hughes case is the second difficulty to beset the Bureau of Security and Consular Affairs since the resignation two weeks ago of its director, Abba P. Schwartz, after disclosure of plans to reorganize the bureau.

Schwartz sought to tone down rigid passport and visa regulations enforced in the Passport Office by Miss Knight.