

State Dept. Asks Outright

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The State Department contended yesterday that it should have untrammelled powers to declare foreign countries off-limits to American travelers.

Philip B. Heymann, head of the Bureau of Security and Consular Affairs, maintained that the Department's geographic travel bans—covering countries such as Communist China, Albania and North Vietnam—“should never be subject to court review.”

It was a stricter line than that taken by Sen. James Eastland (D-Miss.) Tuesday in opening hearings on his own travel-control bill.

Heymann indicated that the State Department would be willing to consider passport

denials and revocations the only fair game for court attack. Even here he appeared to have some reservations.

“On individual passports, that (judicial review) is a harder question,” he told Eastland's Senate Internal Security Subcommittee.

The State Department stand, on behalf of a travel-control bill it is seeking, was promptly assailed by the spokesman for the American Civil Liberties Union, David Carliner.

“I think the ACLU would feel your bill provides more safeguards from the view of civil liberties than the State Department bill,” Carliner told Eastland.

But, he added, the ACLU considers both bills “unconstitutional.”

He said the freedom to

travel was a basic American right that the State Department has been using “as a ploy in (conducting) foreign relations.” Carliner said this was no excuse for chipping away at the right to travel.

Jail Terms Set
Under Eastland's bill, the Secretary of State would be

authorized at any time to declare certain countries off-limits to all Americans — er “certain classes” of Americans. Travel permits would be required for trips to prescribed countries. Violators would face up to five years in jail.

Under the State Department proposal, travel could be ban-

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ned to countries with which the United States is at war, or “where armed hostilities are in progress,” or where “the Secretary determines that travel must be restricted in the national interest because such travel would seriously impair the conduct of United States foreign affairs.”

Under questioning by Sen. Edward Kennedy (D-Mass.), however, Heymann acknowledged that the justification for the current ban on travel to Albania was “pretty thin.”

He described the ban as a device that enables the State Department to show “the

more liberal Communist countries” its disapproval of Albania's hard-line communism.

The State Department bill would also allow it to withhold passports from anyone whose activities abroad “are causing or are likely to cause serious damage to the national sec-

urity or the foreign policy of the United States.”

It provides for only a one-year maximum jail term, but unlike the Eastland proposal, makes no mention at all of court review.

Heymann told the Subcommittee that the State Department might support Eastland's bill if penalties were reduced and other changes made.