

Rusk Hints Hoover Assents on Consuls

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The State Department made public today correspondence between Secretary of State Dean Rusk and J. Edgar Hoover with the objective of showing that the director of the Federal Bureau of Investigation does not oppose the consular treaty with the Soviet Union.

The Administration was hoping that publication of the four-month-old correspondence would remove the principal obstacle to Senate ratification of the treaty.

The exchange of correspondence seemed to put Mr. Hoover in the position of not opposing the treaty, although warning that the establishment of consulates would increase the chances for Soviet espionage.

The treaty, which establishes the framework of consular re-

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lations between the two nations, was signed in 1964 and approved by the Senate Foreign Relations committee in 1965.

Senate ratification has been delayed, however, largely because of the opposition stirred up by a Hoover statement suggesting that the treaty would provide greater espionage opportunities for the Soviet Union in the United States.

In an attempt to counter this opposition, Mr. Rusk wrote an unusual letter to Mr. Hoover asking for clarification of the F.B.I. director's views on the treaty, as expressed before a House appropriation subcommittee on March 4, 1965.

The Rusk letter was written last Sept. 16 while the Administration was considering pressing for treaty ratification in the closing weeks of the last Congress.

In his six-paragraph letter, Mr. Rusk asked Mr. Hoover to interpret his statement before the House subcommittee that the treaty would allow the Soviet Union "to establish consulates in many parts of the country, which of course, will make our work more difficult."

Noting that the Hoover statement had been "widely interpreted as one of opposition to the proposed treaty," Mr. Rusk said "I did not so interpret it." He continued:

"I thought, rather, that you were merely pointing out that any such agreement necessarily results in an increased problem of internal security proportionate to the number of Soviet consulates actually established, without, of course, implying that the problem could not be handled by the F.B.I."

"I assume also that you were not expressing any judgment as to the relative value of countervailing advantages for the United States and American citizens under the convention."

Rusk 'Basically Correct'

In a cryptic, two-paragraph letter in response, Mr. Hoover told Mr. Rusk "that you are basically correct with respect to your interpretation of my testimony."

A State Department spokesman was unable to explain why the Secretary of State had waited 18 months before seeking clarification of Mr. Hoover's views on the treaty. Nor was any explanation offered as to why the department had waited four additional months before making the correspondence public.

It appeared that the publication at this time was intended as a favorable prelude for renewed Senate consideration of the treaty. The Senate Foreign Relations Committee will reopen hearings on the treaty next Monday, with Mr. Rusk and under Secretary Nicholas deB. Katzenbach as leadoff witnesses.

On the basis of private comments by Republican sources on Capitol Hill, however, it seemed doubtful that publication of the letters would achieve the desired political purpose of subduing the opposition in Republican and conservative Democratic ranks.

These sources pointed out that Mr. Hoover had not expressed unequivocal agreement with the Rusk interpretation and had not stated that he favored ratification.

The F.B.I. declined to elaborate on Mr. Hoover's position.

Republicans also noted that the Rusk letter had not cited other critical statements made by Mr. Hoover. For example, in a supplemental statement he submitted to the appropriations subcommittee Mr. Hoover had said that the treaty would permit Soviet intelligence services to achieve a "cherished goal."

Officials of the Liberty Lobby, a right-wing group that has aroused much of the public opposition to the treaty, said today they were sending out an "emergency letter" calling upon subscribers to urge their Senators to block ratification.

Some Republican leaders reportedly were considering calling Mr. Hoover before the Senate Foreign Relations Committee to amplify his views.

Rusk and Hoover Letters

Special to The New York Times

WASHINGTON, Jan. 20 — Following are the texts, made public today by the State Department, of letters exchanged by Secretary of State Dean Rusk and J. Edgar Hoover, director of the Federal Bureau of Investigation:

Rusk Letter

I am writing with reference to the consular convention with the U.S.S.R. now pending before the Senate. On Aug. 3, 1965, the Committee on Foreign Relations reported favorably on this convention. Five members of the committee filed dissenting views, and some other Senators later expressed reservations about the convention. The concern of the dissenting committee members and of other Senators apparently stemmed in large part from your testimony before a subcommittee of the House Committee on Appropriations on March 4, 1965. In that hearing you stated, "Our Government is about to allow [the Soviet Union] to establish consulates in many parts of the country which, of course, will make our work more difficult. . . ."

Your statement was widely interpreted as one of opposition to the proposed treaty. I did not so interpret it. I thought, rather, that you were merely pointing out that any such agreement necessarily results in an increased problem of internal security proportionate to the number of Soviet consulates actually established, without, of course, implying that the problem could not be handled by the F.B.I. I assume also that you were not expressing any judgment as to the relative value of countervailing advantages for the United States and American citizens under the convention. As you know from my testimony before the Foreign Relations Committee, the Administration attaches importance to the convention and considers that it would afford markedly increased protection to large numbers of Americans who visit the U.S.S.R. as tourists or on business or under the exchange program.

In this connection, I might mention that the coming into

force of the consular convention would not confer any right on either Government to establish consulates in the territory of the other country except with the latter's consent. We would expect initially to see established perhaps one consulate in each country, on a basis of reciprocity. The number of consular officers who would enjoy immunity by virtue of the convention would be only 8 to 10 in a consulate, thus, the number of additional Soviet officials with immunity who would be stationed in this country as a result of the consular convention would be minimal in comparison with the large number already here. For example, there are currently 6,310 persons attached to foreign embassies in Washington who enjoy diplomatic immunity; of these, Soviet bloc nationals number 487, including 205 U.S.S.R. representatives. In New York, the number of representatives to the United Nations possessing diplomatic immunity is currently 1,453; of these, 264 are Soviet bloc nationals, including 116 U.S.S.R. representatives.

Moreover, the consular convention accords to the receiving state the right to agree to or withhold acceptance of individual consular officers. Similarly, the receiving state may require the departure of any accredited consular officer who mit no longer wishes to receive.

I should appreciate greatly your confirming my understanding of your viewpoint, as this could have a significant bearing on the attitude and action of the Senate concerning this consular convention.

Hoover Letter

I have your letter dated Sept. 14, 1966, and find, upon closely examining the contents, that you are basically correct with respect to your interpretation of my testimony before a subcommittee of the House Committee on Appropriations as of March 4, 1965.

The facts as mentioned in the second paragraph of your letter are, therefore, correctly stated.