

Rusk Tightens Rules On F.B.I. Requests

By E. W. KENWORTHY

Special to The New York Times

WASHINGTON, April 5 —

The State and Justice Departments have agreed on new procedures governing requests by the Federal Bureau of Investigation for reports by United States embassies on Americans traveling abroad.

Henceforth such requests will be made and passed on to the embassies "only in cases where an important national interest would be served." The requests are to be initiated in the Justice Department "by a responsible officer" and approved for transmittal "by a responsible officer" in the State Department.

Requests will no longer be "routinely" sent by the bureau through Miss Frances G. Knight, director of the Passport Office, for "routine" transmission to embassies. Instead, requests will be channeled through the State Department's Bureau of Intelligence and Research.

Finally, any message requesting information on a traveling citizen will contain no characterization of that citizen's political views but "will be limited strictly to what is required for fulfilling the reporting function."

The new standards and procedures were agreed upon by Secretary of State Dean Rusk and Attorney General Nicholas deB. Katzenbach.

The agreed changes were disclosed today by Senator Edward M. Kennedy, Democrat of Massachusetts, when he made public part of a letter he had received from Secretary Rusk. Senator Kennedy had written Mr. Rusk strongly protesting F.B.I. requests for reports on citizens who had expressed "controversial" views.

Early this evening the State Department announced that the Passport Office would no longer handle requests for embassy reports on American travelers and that such requests would be channeled through the Bureau of Intelligence and Research.

Senator Kennedy's interest a fire had been aroused by the disclosure by The New York Times in a Washington dispatch March 22 that the Passport Office had transmitted to the London and Moscow embassies an F.B.I. request for reports on the activities of H. Stuart Hughes, professor of History at Harvard.

Ran Against Kennedy

Mr. Hughes, who ran as an independent candidate for the Senate against Mr. Kennedy in 1962, plans to travel, write and

teach in Europe next fall on a sabbatical leave.

According to Miss Knight, the Federal Bureau of Investigation asked her office Feb. 6 for reports on Mr. Hughes's activities. The request was forwarded to the embassies March 8 in airgrams carrying Miss Knight's signature but not actually signed by her.

These messages described Mr. Hughes as a man who "reportedly in the past had strong convictions towards Communism." It has never been made clear whether this characterization was contained in the F.B.I. request or was contributed by the Passport Office.

Philip B. Heyman, acting administrator of the State Department's Bureau of Security and Consular Affairs, told Miss Knight on March 14 that no requests of this kind were to be sent out in the future without his approval. On March 16 he sent cables rescinding the requests.

Sends Letter to Rusk

On March 23, Senator Kennedy in a letter to Secretary Rusk, said that, while he had often disagreed with Mr. Hughes, he had always regarded the professor as a man of "integrity."

"I would not like to see our embassy personnel involved in the shadowing of U.S. citizens," Senator Kennedy wrote.

In a news conference March 25, Secretary Rusk said the airgrams had not requested "the tailing [of Mr. Hughes] or anything of that sort," but merely the reporting of "any information" that turned up.

Nevertheless, Mr. Rusk said he was "not satisfied that our present procedures are exactly what they ought to be" and that he was reviewing them with the Attorney General.

Specifically, Mr. Rusk said there should be criteria governing the transmission of such requests. He said he did not believe "that we ourselves, or anyone else, should be transmitting abroad unevaluated information which has not been subjected to a real judgment as a matter of policy."

Former Practice Deplored

Officers in the State and Justice Departments said today that the new procedures were designed to accomplish these objectives.

For one thing, they said that the former practice of the F.B.I. in sending requests to Miss Knight in the Passport Office was "anomalous" and "did not make any sense," because that office did not handle liaison with security agencies.

The State Department section responsible for such liaison, they said, is the Bureau of Intelligence and Research. Therefore, they said, it could be assumed that "the responsible officer mentioned by Mr. Rusk in his letter to Senator Kennedy would be Thomas L. Hughes, director of that bureau, or one of his top subordinates.

The Justice Department declined to say who would be its

"responsible officer." A spokesman said it would be one whose judgment the department would regard as "most relevant" in each case.

It was noted here that, in his letter to Senator Kennedy, Mr. Rusk had not said that such requests would be made only in cases where interests of "national security" would be served. Rather, he referred to cases where "an important national interest would be served."

Policy Viewed as Broad

In the view of some observers here, this could be interpreted so broadly as to permit resumption of the practices about which Senator Kennedy complained.

The Senator said today he was satisfied that the procedures that "created the Hughes and similar cases will no longer be followed." Nevertheless, he went on, appropriate Congressional committees should "from time to time assure themselves that this is the case."