

RUSK IS PRESSED ON 'SHADOWING'

Edward Kennedy Questions Surveillance of Professor

WASHINGTON, March 23— Senator Edward M. Kennedy demanded today that the State Department explain its legal authority for "shadowing" American citizens traveling abroad.

In a sternly worded letter to Secretary of State Dean Rusk, the Massachusetts Democrat expressed "dismay" to learn that some American travelers are subjected to surveillance by their Government because of their political beliefs.

"I would have assumed that the granting of a passport carried with it for each citizen the privileges given to all citizens and that all passport bearers would have their privacy assured and be able to travel without embarrassment," the Senator wrote.

His protest was prompted by the disclosure today that the State Department earlier this month had ordered the American embassies in Paris and Moscow to impose surveillance over the activities of H. Stuart Hughes, a professor of history at Harvard University, because of the Federal Bureau of Investigation's suspicions about his political beliefs.

'Gentleman of Integrity'

As an independent candidate, Dr. Hughes was an opponent of Senator Kennedy in the 1962 senatorial campaign. Senator Kennedy said in his letter that "while I have had serious disagreements with him on matters of policy, I have always considered Professor Hughes to be a gentleman of integrity who has expressed his convictions in an honest and forthright fashion."

The orders for surveillance of Dr. Hughes were subsequently rescinded by the State Department. But the department today left open the possibility that it would reorder the surveillance if requested to do so by the F.B.I.

The surveillance was ordered on March 8 in an airgram to the two embassies. The airgram bore the signature of Miss Frances G. Knight, head of the department's Passport Office.

It was rescinded in a March 16 cable ordered by Miss Knight's superior, Philip B. Heymann, who recently became acting director of the department's Bureau of Security and Consular Affairs.

Rebuke Denied

The State Department emphasized today that Mr. Heymann's action was not intended as "a rebuke," to Miss Knight. It was explained that Mr. Heymann, first in a discussion with Miss Knight and then in a March 14

memorandum to her, had attempted to clarify procedures for ordering surveillance by making clear that any such requests would have to be approved at the "bureau level" in the State Department.

As was acknowledged today by a department spokesman, Mr. Heymann intervened in the case without knowing that the F.B.I. on Feb. 6 had requested surveillance of Dr. Hughes.

The March 8 airgram stated that Dr. Hughes "reportedly in the past has had strong convictions toward Communism." It also said that, according to a newspaper article, "Mr. Hughes had testified on behalf of Robert A. Soblen, a convicted spy, at a hearing for a retrial."

Hughes Comments

Dr. Hughes, in a telephone interview, explained in Boston today that he had testified at the second trial at the request of Dr. Soblen's defense lawyer "because of my special knowledge, as a former O.S.S. [Office of Strategic Services] officer of the job that Dr. Soblen had done for that organization."

"I testified that in doing his job, Soblen did not have access to information on highly secret weapons," Dr. Hughes said.

Since giving that testimony in 1961, he observed, he has made three trips to Europe with no indication that he was under surveillance. He suggested that the "sudden interest on the part of the F.B.I. must be connected with my outspoken opposition to the war in Vietnam."

Dr. Hughes said he declined to "dignify" the charges about Communism by commenting on them. But he said, "My views on Communism are a matter of public record" and are spelled out in his book, "An Approach to Peace and Other Essays," published by Atheneum in 1962.