

PASSPORT OFFICE HAS SECRET FILE

243,135 Names in Computer
—Applications Screened

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WASHINGTON, Feb. 10—The United States Passport Office acknowledged today that it keeps a secret, computerized file of 243,135 Americans whose applications for passports may be of interest to it or to Government law enforcement agencies. Persons listed in the file may never be aware of it.

The existence of the file was disclosed by Senator Sam J. Ervin Jr., the chairman of the Senate Subcommittee on Constitutional Rights, who is a persistent critic of what he considers Government surveillance and file-keeping abuses.

In a speech last night before a symposium at Dickinson College in Carlisle, Pa., Senator Ervin said he had discovered the Passport Office file through a reply to his subcommittee's questionnaires. He called it more proof that uncontrolled and undercover Government surveillance was a serious threat to the exercise of the First Amendment rights of free speech and freedom to associate.

File Is Defended

In an interview today Miss Frances Knight, the Passport Office director since 1955, said, "A passport is a United States document addressed to foreign Governments in which we are saying, 'This person is an American citizen.'"

She said that "a vast majority"—perhaps 90 per cent—of those listed in the file were persons of "questionable citizenship" about whom it was her obligation to be curious and cautious in issuing an official document.

A spokesman for Senator Ervin, however, said today that the State Department had reported to him in writing that the largest group of names on the list was in the "known or suspected Communists or subversives" category and that the number of names under "doubtful citizenship" ranked second. The number in each of these categories was not immediately available.

"We are guarding the integrity of the passport by verifying United States citizenship," Miss Knight said. But she expressed surprise at the large number of names on the list.

Miss Knight said she had been ill for the last three weeks and away from her desk. Until she summoned aides to her office this afternoon, she said, she was unaware that Senator Ervin had made official inquiries about the file or that it was a matter of controversy. The State Department's reply to Mr. Ervin's questionnaire was dated Jan. 4.

Hearings Start Feb. 23

Senator Ervin has scheduled nine days of public hearings before his subcommittee starting Feb. 23 on what he has called the growth of "police state" surveillance and dossier-keeping on perhaps 50 million Americans, most of them accused of breaking no laws.

The North Carolina Democrat, a former judge on his state's Supreme Court, said last night that while there might be legitimate reasons for maintaining portions of the Passport Office file, many of the justifications for it given to his subcommittee by the State Department were "beyond any reason whatsoever."

He said a State Department reply to a subcommittee questionnaire listed these categories:

¶ "Individual's actions do not reflect to the credit of the U. S. abroad (1,040 persons)."

¶ Defectors, expatriates and repatriates whose background demands further inquiry prior to issuance of a passport.

¶ Persons wanted by a law enforcement agency for criminal activity.

¶ Individuals involved in a child custody or desertion case.

¶ Delinquents or suspected delinquents in military service.

¶ "Known or suspected Communists or subversives."

'Orange Card'

Senator Ervin said other categories included simply "orange card" and "miscellaneous."

"I don't know what 'orange card' means, and I don't think they know either," he told the Dickinson College gathering.

Asked if he thought the Central Intelligence Agency had inserted names in the file, Mr. Ervin said, "I can't prove it but I suspect the C.I.A. gets just about anything it wants."

He said the State Department had acknowledged maintaining a secret surveillance file of passport applicants in which "the individual is not told that he is in the file" until and unless "adverse action" is taken. It was not clear today how this would operate in actual practice.

Miss Knight said her office would merely report quietly to "the interested agency" — the Federal Bureau of Investigation or a state law enforcement agency with a fugitive warrant, for example — that a person

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listed in the file had applied for a passport.

Whether "adverse action" would ensue was none of her interest, she said, and she would not notify the subject of his listing in the file.

Miss Knight said she would not necessarily notify anyone that he was included in the file even if the "adverse action" were taken in her own office, through the denial of a passport.

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