

Border security bill is stalled; **Agencies lack clear guidance**

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Body

Washington --- Every day, as jumbo jets bring international visitors to American airports, Immigration and Naturalization Service inspectors are caught in a squeeze.

The inspectors must check the documents of each foreigner to try to keep out terrorists, smugglers and other criminals who would harm the country.

But they also must follow the 45-minute rule. Inspectors have that long to **clear** all the passengers of an arriving flight, under a federal law passed at the urging of the travel industry.

Cox Washington Bureau

Bipartisan **border security** legislation, which once appeared to be on a fast track, would do away with that time limit.

The far-reaching measure, drafted jointly by lawmakers from both the House and Senate in response to the Sept. 11 terrorist attacks, also would require installing machines at ports and **border** crossings to record each foreign visitor's entry and exit. And it would mandate more tamper-resistant travel documents and stricter monitoring for foreign students.

The **bill** passed the House on a voice vote late last year and came within an inch of immediate Senate approval, until it was halted by Sen. Robert Byrd (D-W.Va.).

Byrd had no objection to the **bill** itself, but he opposed moving so fast on "such a huge issue," spokesman Tom Gavin said last week. The senator has offered to allow consideration of the measure, so long as there is a full debate, Gavin said.

As a result, the **border security bill** has become caught behind a traffic jam of other Senate legislation, including an energy **bill** and legislation to reform campaign financing.

Lawmakers are not losing interest, however, said Ranit Schmelzer, spokeswoman for Senate Majority Leader Tom Daschle (D-S.D.). "It's just a realization of how much is on the Senate agenda and how long it can take to get things done," she said.

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But the delay has left some federal agencies without clear guidance for monitoring the borders and foreign visitors.

For example, the State Department still is waiting for greater access to intelligence data for its visa offices, as would be required by the legislation.

Addressing the 45-minute rule for clearing passengers, INS Commissioner James Ziglar told a House Appropriations Committee hearing last week that he felt conflicting pressures.

"I am very concerned that we have 45 minutes to process a fully loaded [Boeing] 747," Ziglar told the lawmakers.

He also said he is aware that "the flow of people across our borders is a huge part of our economic well-being."

Also unresolved is when the INS would install electronic devices at all 301 ports and border crossings, to record every foreigner's entry and exit.

Such a massive undertaking involves tracking data for as many as 500 million visitors a year.

"These are things that require time to get online," INS spokesman Russell Bergeron said. Bergeron said his agency has not begun to develop the entry-exit system, in part because Congress, which first required it in 1996, later reversed itself because of concerns about slowing commerce.

The new border legislation would require the system to be running by October 2003.

Ziglar told Congress the administration wants an additional year.

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