

Travelers entering, leaving U.S. face tighter scrutiny

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Body

Washington --- Airlines and ships will have to give the government detailed information about all passengers and crews, including Americans, before the travelers leave or reach the United States, under a proposed federal rule issued Friday.

The information, which would be gathered from U.S. citizens for the first time, would go to the Immigration and Naturalization Service and to the U.S. Customs Service.

International cargo planes, passenger flights and ships --- including those coming from Mexico and Canada --- are included in the proposed monitoring system. Private vehicles, commercial buses and trains would not be affected.
Cox Washington Bureau

Under the rule proposed by the INS, the airlines and ships would have to provide in advance information on citizenship, birth date, residence, passport number and "such other information" that federal officials decide is necessary for enforcing immigration laws and protecting national security. The rule would take effect after a 30-day comment period.

The INS has been criticized for its bureaucracy and lengthy backlogs in processing applications and gathering information. Since 1989, most airlines have been providing advance lists of some noncitizen passengers under a voluntary agreement with the federal government. The new rule would expand the practice to all passengers and make it mandatory.

The lists must be transmitted electronically, so that names can be more easily matched against computer databases for possible criminal or terrorist ties.

The INS estimates that the rule will affect 108 large commercial air carriers and ship lines and more than 14,400 smaller carriers. Initial costs to the private sector are estimated to be \$166 million.

Violating the rule would bring a \$1,000 penalty for each time a carrier fails to provide proper information on a passenger. The INS said it might initially forgive the fines if a carrier is making a good-faith effort to comply with the requirements.

Delta Air Lines spokesman Anthony Black said the airline was already sharing some information with the government about passengers on international flights. He said Delta is "enhancing our data-collecting capabilities" to provide more information.

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Computer specialists at Delta "feel confident that they will be able to meet the requirements of the INS," Black said.

Expansion of the INS monitoring of passengers is a step toward an automated entry-and-exit system for tracking visitors at U.S. ports of entry. Currently, the immigration agency has no systematic way to monitor foreign visitors or to know whether they have overstayed their visas or left the country.

Rosemary Jenks, a lobbyist for NumbersUSA, a private group that favors tighter borders, said the proposed requirement "has the potential" to improve security --- but only if immigration officials are able to check every name.

Jenks was skeptical. "The INS is understaffed, and their computers don't always work," she said.

The government has numerous computer databases, many of them incompatible, that create a computerized chaos as authorities attempt to make background checks, Jenks said.

"The bottom line is, it's all pointless unless the INS is using the data that it gets" to detect dangerous or unauthorized persons before they cross the border, Jenks said. "Once they get into the country, it's too late."

Civil liberties advocates said a series of security measures imposed since the Sept. 11, 2001, terrorist attacks have raised concerns about potential government abuse.

"You need to see this in the larger context of vastly expanded government information collection and data-mining," said David L. Sobel, general counsel for the Electronic Privacy Information Center.

But the American Civil Liberties Union, which has criticized many of the Bush administration's anti-terrorism information-gathering efforts, said the latest proposal should not impinge on people's privacy.

"We don't see a huge downside," said ACLU spokeswoman Emily Whitfield.

News services contributed to this article.

Graphic

Photo: Cruise ship passengers would be included under the new rule, which expands previous voluntary reporting on some noncitizens by making it mandatory and applying it to everyone. / ANDY NEWMAN / Associated Press

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