

THREATS AND RESPONSES: SECURITY; Government Ready to Fingerprint and Keep Track of Some Foreign Visitors

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Body

Immigration agents at the nation's border crossings, airports and seaports will begin this week to **fingerprint** foreigners who they suspect may pose **security** risks and will require those **visitors** to regularly report where they are staying and what they are doing in the United States.

The new procedures, intended to improve the monitoring of certain foreigners in the country, will apply to anyone arriving with a student, business or tourist visa who is believed to fit the criteria of a potential terrorist.

Justice Department officials said they would not disclose the criteria that the agents will use in determining who will be required to submit to **fingerprinting**, as well as photographing, for fear of jeopardizing intelligence-gathering.

Still, the widespread assumption among civil liberties groups and American Muslims is that **visitors** from Arab and Islamic nations will receive the closest scrutiny. Arab nations have drawn the same conclusion and the 22-member Arab League has denounced the new effort as discriminatory.

The new measures are supposed to go into effect on a trial basis at some points of entry on Wednesday and to be in operation at all points of entry by Oct. 1. The Justice Department would not say where the new monitoring will start this week.

Many Muslim visa applicants are already singled out for extra investigation before they leave home. In line with a post-Sept. 11 rule, applicants from 26 countries, a list that is dominated by Islamic nations, must be cleared by the Federal Bureau of Investigation before their requests are reviewed at American consulates. That policy, put into place two months after the terrorist attacks on New York and Washington last year, affects men between the ages of 26 and 45.

The extra layer of review has prolonged the visa-application process for students, business travelers and tourists to at least six weeks and, often, longer, and prompted some Arab commentators to call for reciprocal treatment of Americans traveling to the Middle East.

In announcing the approval of the new rules last month, Attorney General John Ashcroft said that additional monitoring of visa holders once they arrive in the United States was necessary to take into account constantly updated intelligence about the activities of terrorist organizations.

The requirement that selected **foreign visitors** must regularly report their whereabouts to the **government**, he added, would help detect terrorists who go underground after arriving in the country. Some of the 19 hijackers in last year's terror attacks had violated the terms of or overstayed visas.

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Many Arabs have stopped coming to the United States. Middle Eastern diplomats said the number of people from Arab countries asking for visas has dropped by half over the past year, an outgrowth of the lengthy application process and a fear of running into anti-Arab sentiment here.

The decline in visits may prove to be counterproductive to American policy goals of promoting better understanding between Muslims and the West, the Egyptian ambassador to the United States, Nabil Fahmy, warned.

"You faced a horrible tragedy and it requires remedial action in terms of security, but it also requires a long-term perspective," Mr. Fahmy said. "While some security measures are justified, I think one lesson to be learned from the tragedy is the need to understand each other better and this requires more interaction."

A spokesman for the Justice Department, Jorge Martinez, said fingerprints and photographs would automatically be taken of any citizen of Iran, Iraq, Syria, Sudan and Libya. In 2001, 44,000 student, business and other temporary visas were issued to visitors from those countries, which are five of the seven countries designated by the State Department as sponsors of terrorism. (The other two are Cuba and North Korea.)

He said the other visitors who will be checked are those who are considered security risks by the State Department or by the Immigration and Naturalization Service officers, based on intelligence reports of terrorist strategy and behavior. Mr. Martinez said he could not estimate how many people are likely to be checked.

The fingerprints will be checked immediately against computerized intelligence and criminal databases already available to immigration agents at the ports. Those selected foreigners would then be required to report to the I.N.S. any changes in where they are staying or what they are doing, and if they fail to report in, their names would be added to the list of federal criminals.

Mr. Martinez rejected the criticism from American Muslim groups that the rules broadly discriminate against Muslims and would amount to racial profiling.

"That inspector will have specific criteria based on intelligence reports," he said. "It would not be a profile on race."

About one in five visitors to the United States already undergoes extra questioning and security checks in what is called secondary inspection at places of entry.

Last year, for example, immigration agents took 7.3 million incoming visitors out of the passport lines for further scrutiny, in most cases because the agents suspected they carried false documents.

That procedure -- closed to any outside scrutiny -- has long been a matter of concern to civil liberties and immigrants'-rights groups. They have said many foreigners, especially asylum seekers, have been mistreated during secondary inspections.

"What we've experienced in secondary inspection is that it's this black box," said the director of the Washington office of the Lawyers Committee for Human Rights, Elisa C. Massimino. "There are no outside observers, a lot of abusive language and even some physical abuse." The immigration service has responded in the past to such claims by saying its inspectors treat foreigners respectfully and only use physical force when necessary to restrain someone in a secondary inspection.

The prospect of being fingerprinted and monitored has many potential visitors worried already, she said. "We've already had calls from our human rights colleagues from other countries, asking 'if I come to your dinner in the fall, is this going to happen to me?' " Ms. Massimino said.

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