

# Rules and Regulations

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Part 235

[INS No. 2256-03]

RIN 1115-AG94

#### Automated Inspection Services— Extension of Enrollment Period

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** Automated Inspection Services (AIS) programs, such as the INS Passenger Accelerated Service System (INSPASS) and the Secure Electronic Network for Travelers Rapid Inspection (SENTRI), are automated systems designed to identify pre-registered, low-risk travelers and permit them to enter the United States within a predictable wait time by reducing the interaction of the traveler with the inspector at the time of entry. The extension of the enrollment period for AIS programs will benefit both the Immigration and Naturalization Service (Service), and the applicants of the INSPASS and SENTRI programs.

The Service regulations currently limit the period of approval to the program to 1 year, thereby requiring applicants to resubmit a new application and fee each year. This is a very burdensome process for both the traveling public and the Federal agencies administering the programs. This rule amends the Service's regulations to extend the current enrollment period for the AIS programs from 1 year to 2 years. The Service has determined that it can effectively maintain the integrity of the program and the security of the border without requiring applicants to undergo an annual application renewal.

**DATES:** *Effective date:* This interim rule is effective February 28, 2003.

*Comment date:* Written comments must be submitted on or before April 29, 2003.

**ADDRESSES:** Please submit written comments, to the Director, Regulations and Forms Services Division, Immigration and Naturalization Service, 425 I Street, NW., Room 4034, Washington, DC 20536. To ensure proper handling please reference INS number 2256-03 on your correspondence. You may also submit comments electronically to the Service at [insregs@usdoj.gov](mailto:insregs@usdoj.gov). When submitting comments electronically, you must include INS number 2256-03 in the subject box. Comments are available for public inspection at the above address by calling (202) 514-3291 to arrange for an appointment.

**FOR FURTHER INFORMATION CONTACT:** Thomas C. Campbell, Assistant Chief Inspector, Immigration and Naturalization Service, 425 I Street, NW., Room 4064, Washington, DC 20536, telephone number (202) 305-9246.

#### SUPPLEMENTARY INFORMATION:

##### What Is an Automated Inspection Service (AIS)?

The AIS, also known as PORTPASS programs, are automated systems designed to identify pre-registered, low-risk travelers using various technologies, and permit them to enter the United States within a predictable wait time by reducing the interaction of the traveler with the inspector at the time of entry. The Service currently operates several AIS systems, including the Secure Electronic Network for Travelers Rapid Inspection (SENTRI) dedicated commuter lanes along the southern border, and Immigration and Naturalization Service Passenger Accelerated Service System (INSPASS), at several airport locations. The AIS programs incorporate a pre-registration of participants that includes an interview, various agency law enforcement database and criminal record checks, capturing of biometrics, and inspection of the vehicle, if appropriate. Upon entry to the United States, the traveler is identified using various technologies, such as transponders, proximity cards, or other means of biometric verification. In dedicated commuter lanes, the

participant's photograph and other information displays on the screen to the inspector in designated vehicle lanes, who can verify the identity of the traveler. For INSPASS, travelers approach a kiosk and submit to a biometric (hand geometry) verification and database check upon entry. These programs benefit both the traveling public and the government by providing advance information about persons entering the United States, thereby allowing minimal inspection of low-risk, known travelers, while permitting border inspectors to focus attention and resources on unknown, or higher-risk travelers.

##### What is INSPASS?

- INSPASS is an AIS Program currently operational at international airports at: Los Angeles, Miami, Newark, New York (JFK), San Francisco, Washington-Dulles, and the U.S. preclearance sites at Vancouver, and Toronto in Canada. Citizens of the United States, Canada, Bermuda, and Visa Waiver Pilot Program (VWPP) countries who travel to the U.S. on business three or more times a year, or who are diplomats, representatives of international organizations, or airline crews from the VWPP nations may voluntarily enroll in the INSPASS Program.

- Enrollment into INSPASS is not available to anyone with a criminal record or to aliens who require a waiver of inadmissibility to enter the U.S.

- Arriving at a Port-of-Entry, the traveler proceeds to an INSPASS inspection queue. There, the person inserts a card issued to them at enrollment to an INSPASS kiosk, similar to automated bank teller devices. Responding to messages on the kiosk's touch-screen display, the traveler is prompted to enter their flight number and to place their hand in a hand geometry reader. Screen prompts are used to achieve correct alignment of the hand, with the hand reader. The kiosk software automatically compares the live scan of the traveler's hand geometry biometric to the image captured at enrollment. If the traveler's identity is validated by this comparison, an I-94 (if required) or receipt of his inspection is printed by the Kiosk that directs the traveler to proceed to U.S. Customs Inspection. If this check is not successful, a screen Message refers the