

**THE NEW YORK TIMES**

May 14, 2007

# **U.S. Asks Europe to Ensure Continued Access to Air Passenger Data**

By JANE PERLEZ

VENICE, May 13 — In order to reduce the odds that terrorists will enter the United States, the Bush administration is asking the European Union to lift its objections to the sharing of airline passenger information with American intelligence agencies, said the secretary of homeland security, Michael Chertoff.

On the fringes of a meeting of European interior ministers here Saturday, Mr. Chertoff argued that other countries, no matter how friendly, could not decide who entered the United States. He plans to repeat the message before a European Parliament panel in Brussels on Monday.

“While we reassure Europe, we have to insist that we can’t tie our hands in keeping dangerous people out of the United States,” Mr. Chertoff said in an interview here.

Under an interim accord between Washington and the European Union, data that overseas passengers routinely give airlines — address, credit card, passport, phone and other information — is being used for screening on arrival at American airports.

But the accord expires July 31, and some European governments and data protection advocates have strenuously objected to what they call an invasion of privacy and possible misuse of personal information.

At the heart of the discussions between Mr. Chertoff and the Europeans is the issue of how Washington can screen passengers who, as citizens of 15 European Union countries, do not need to apply for a visa for stays of up to 90 days. The nations include Britain, France, Germany and Italy but not the most recent entrants to the European Union, like Poland, Hungary and Romania.

Gaining access to data on British citizens of Pakistani origin has been a priority for Washington since the 2005 London transit system attack in which three of the four suicide bombers were of Pakistani descent.

The British home secretary, John Reid, who was at the conference, said he was “utterly opposed” to screening based on ethnicity.

Mr. Chertoff held discussions with Britain last month on immigration matters. He said there was no attempt to single out Britain for separate treatment. But, he said: “The visa

process does afford a level of protection. The visa waiver countries by definition do not give us that. We need to find some way for a comparable level of protection.”

That protection, the Homeland Security Department argues, can best be provided by feeding the passenger names and other information gathered in Europe by the airlines into another data system, the Automated Targeting System, based in Washington.

The data system, established after 9/11 to build “risk assessments” of incoming passengers, runs the names of travelers and their data against lists of known or suspected terrorists.

Some members of Congress and privacy advocates have objected to the targeting system, saying it could be used indiscriminately by Homeland Security and other agencies for “data mining” against people.

Those concerned about invasion of privacy have said that along with basic data, airlines share such things as passengers’ food preferences — for example, orders for halal meals — and that this could be used to single out Muslim passengers.

In the department’s defense, its assistant secretary for policy, Stewart A. Baker, said in a speech in December that with an Automated Targeting System before 9/11, the bombers’ backgrounds and links to one another would have surfaced when they bought their airline tickets.

A European delegate to the conference here said it seemed likely that a compromise could be worked out before the interim accord expired.