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## New barriers frustrate refugees

Advocates argue that the U.S. drive against terrorism penalizes people legitimately seeking political asylum.

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FRED BLOCHER | The Kansas City Star

Martin Okpareke is waiting on his citizen application, turned in by Okpareke in 2004.

It makes Martin Okpareke wonder.

He was granted asylum in 1996 when he left Nigeria and permanent resident status in 1999. He applied for citizenship in 2004 and has heard nothing since.

So he wonders.

"I belonged to a political group opposed to the military rule at the time in Nigeria," he said from his office at Jewish Vocational Service in Kansas City, where he works as an employment counselor.

The issue over Okpareke's citizenship application could result from language in the Patriot Act that defines terrorism as "any activity which is unlawful under the laws of the place it was committed."

The law also bars admission to the U.S. for anyone who provided "material support" to any armed group, even if the group is supported by the United States and even if the refugee was forced at gunpoint to provide the support. As defined by the Patriot Act, material support includes providing a safe house, transportation, communications and money.

In addition, the Real ID Act of 2005 greatly expanded the definition of a terrorist organization.

Immigration advocates argue that in a drive to root out terrorism and tighten loopholes in immigration laws, the U.S. government has penalized people legitimately seeking political asylum.

"It's almost impossible to get asylum now," said Overland Park immigration attorney Mira Mdivani. "Changes under the Real ID Act, changes in foreign policy, changes in how we view refugees. We don't want them."

Phone calls to the Department of Homeland Security last week were not returned.

Officials with the U.S. Committee for Refugees and Immigrants cite dozens of cases that they said had been affected by the legal crackdown on potential terrorists. Among them:

- A Liberian woman who was kidnapped by rebels, raped repeatedly, and forced to cook and do laundry for them was considered by the Department of Homeland Security to have provided "material support." The case was placed on hold.
- The resettlement of a Sierra Leone mother and daughter who were raped and held captive in their home by marauding rebels also was placed on hold on the grounds the family had provided housing to the rebels.
- A Colombian woman was barred from admission to the U.S. because she gave farm animals to rebels. The guerrillas demanded money, which the family did not have. After making countless threats, they took livestock instead. Later, they shot the woman's husband and raped her.

"The definition of material support and terrorist activity are so broad it folds in people who are victims," said Sarah Petrin,

spokeswoman for U.S. Committee for Refugees and Immigrants.

Like Petrin, Okpareke supports the intent of the Patriot Act and Real ID Act but worries that "there are people with genuine cause who want to get here and can't because of this material support."

"If someone has a gun pointed to your head, you are not acting of your own volition."

This year, the Kansas City, Kan., office of Catholic Charities helped resettle 11 men and women from Uzbekistan. They were among hundreds of people who fled from the capital, Andijan, on May 13, 2005, after Uzbek government troops opened fire on protesters in the town's central square. The state claimed a death toll of 168, but witnesses put the figure at between 400 to 1,000 unarmed civilians, including numerous children.

According to Stephen P. Weitkamp, director of refugee and migrant programs for the Kansas City, Kan., office of Catholic Charities, many Uzbeks remain in refugee camps in Romania because they ran afoul of provisions within the Real ID Act.

"If they appear on a database, it would be because their names were submitted by Uzbekistan," Weitkamp said. "A dictatorial government would be calling them terrorists."

"It's a clumsy interpretation of the law; people opposing a totalitarian regime are going to be barred, because national legislation puts them in an untenable pigeonhole."

U.S. Rep. Joe Pitts, a Pennsylvania Republican, plans to introduce legislation in the coming days to clarify the definitions of a terrorist organization and material support in the Patriot Act and the Real ID Act, according to a staff member.

Okpareke, 39, remains hopeful that he will be granted citizenship.

"I'm not worried. There's nothing there," he said. "I never gave material support."

Still, he wonders.

"But they could deny me."

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### ***New arrivals***

*The government has said it will allow 70,000 refugees to resettle in the U.S. Through the first six months, fewer than 29,000 have been admitted:*

- 12,114 Africans
- 3,826 East Asians
- 8,150 Europeans
- 2,504 Latin Americans
- 2,263 Near East and South Asians.

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