

## **U.S. Senate strips provision aimed to ease plight of Hmong**

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WASHINGTON- Before passing a \$123 billion bill to pay for the wars in Iraq and Afghanistan, the Senate stripped out a provision Thursday aimed at easing the impact anti-terrorism laws have had on Hmong refugees.

The provision, which stated that the Hmong and some other groups are not considered terrorists, was taken out after Sen. Jon Kyl, R-Ariz., raised a procedural objection.

Under parts of the USA Patriot Act and the Real ID Act, the Hmong who fought alongside the Americans in the "secret war" against communists in Laos are considered terrorists and are therefore ineligible for asylum or green cards. The Hmong, who began arriving in the U.S. after the Vietnam War, have mostly settled in California, Minnesota and Wisconsin.

Kyl argued that the provision in the Iraq spending bill would aid not just the Hmong but terrorist groups such as Hamas and al-Qaida.

"The provision in this bill would extend the waiver authority in current law to groups that are definitely not friends of the United States—including to members of groups that the secretary of state has designated as foreign terrorist organizations," he said in remarks submitted for the Congressional Record.

He said he would introduce legislation providing relief to the Hmong and other groups that don't threaten the U.S.

"Everyone agrees that groups such as the Hmong should not be barred from the United States," Kyl said. "But I would venture that we would also all agree that we should not extend immigration waiver authority to members of Hamas and al-Qaida."

Kyl's objection brought a stinging rebuke from the provision's author, Sen. Pat Leahy, D-Vt., the chairman of the Appropriations Subcommittee on State, Foreign Operations and Related Programs. He described it as "reasonable middle ground" crafted after working with the Bush administration and refugee groups.

"But that isn't good enough for the senator from Arizona, so we are back to square one," Leahy said in his own Congressional Record statement. "Individuals who fought alongside the United States in Vietnam, in Afghanistan, and elsewhere, will continue to be barred under current law."

"By striking this provision," Leahy added, "he ensures the perpetuation of a policy that is contrary to our values, to our morals, and to our national traditions."

Leahy's spokesman, David Carle, said the waiver authority in the provision does not name any specific groups.

"The likelihood of the secretary of state, secretary of homeland security and the attorney general unanimously deciding to apply the waiver to a member of al-Qaida is laughable and the chances of it happening are less than zero," Carle said.

The Hmong have been affected by the anti-terror laws because of their guerrilla activities during the Vietnam War and, later, against the Laotian government.

Sen. Norm Coleman, a Minnesota Republican who supports the provision, said he's working with Kyl to come up with acceptable language. He said he was optimistic a resolution could be worked out.

Another supporter, Sen. Russ Feingold, D-Wis., said in a statement: "Rest assured, I will continue to work with my Senate colleagues until this problem is finally fixed."

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