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### **Bureaucrats against the brave**

I visited the Alamo a couple of weeks ago and was struck by the names of the men and women who died there. Many, like Davy Crockett, were U.S. citizens at the time they died, but others were not. There were Mexicans and volunteers from Ireland, England and France who came to fight and die with Crockett, Travis and the rest.

Had they lived, most of them would no doubt have settled in Texas and themselves become citizens. But that was then. Today, they would be ineligible for admission to this country precisely because they crossed the line Col. Travis drew in the sand as Santa Anna's army approached. They'd be rounded up and sent home to Europe ... or to Mexico to be dealt with by Santa Anna himself.

Anyone who doubts this ought to look carefully at the way we have been treating those seeking asylum here since Sept. 11, 2001. In order to protect us from terrorists and their friends, we now bar the entry of anyone who, like the defenders of the Alamo, has ever taken up arms anywhere for any purpose other than to, say, rob a 7-Eleven. This prohibition has already been interpreted to include those who fought side by side with U.S. forces in Vietnam or who decades ago fought Fidel Castro in the mountains of Cuba, and even those Iraqis who sided with us in the initial days of the Iraq war.

The problem lies partly with the language of the hastily crafted anti-terrorist legislation enacted in the wake of Sept. 11, but mostly with the incredible inability of federal bureaucrats to see the forest for the trees. As a result, legislation enacted for the best of reasons is being used against the victims of terrorism rather than against terrorists.

How many in Congress sought in voting for the Patriot Act (a major source of the language being interpreted to keep these people out) to deny sanctuary or eventual citizenship to refugees and asylum seekers who have fought in support of our troops in the field or have themselves been victims of terrorism?

Historically a small percentage of our immigrants have been political refugees with nowhere else to go. Welcoming them into our midst speaks volumes about our values and concern for those who have suffered at the hands of tyrants and terrorists.

Today, however, refugees and asylum seekers are being turned away by Department of Homeland Security bureaucrats who have decided they don't deserve sanctuary

either because of the prohibition mentioned above or because they have provided what the law terms “material support” to terrorists or organizations that support terrorists.

It turns out that “material support” can be anything ... even a glass of water given to a thirsty stranger who one later learns is a terrorist.

A few examples of the sorts of people being excluded and the “material support” they have provided says it all. They include a fisherman kidnapped by the Tamil Tigers and forced to cough up his own ransom; a Burmese teacher who allowed members of a pro-democracy group to speak to her class; a Colombian nurse kidnapped, assaulted and forced to provide medical treatment to her captors; and a woman from Sierra Leone whose home was invaded by rebels with machetes who killed one member of her family and tried to burn her gasoline-drenched son to death.

The rebels, terrorists to be sure, held the Sierra Leonean woman and her family for four days, repeatedly raped her and her daughter and even forced them to do their laundry before they left. It was doing their laundry, we are told, that makes her a potential danger to us all and therefore ineligible for entry into the United States.

The good folks at DHS also barred a Colombian teenager whose entire family was murdered by rebels who then forced him to help dig the graves into which they dumped the bodies of their victims. By digging the graves, he was — you guessed it — providing the terrorists “material support.”

The folks at DHS argue that it is the law that forces them to visit injustice on the innocent. This is bureaucratic balderdash. Congress gave them the power to grant waivers when justice and common sense demand it, but they haven’t even bothered to set up a review procedure to separate the innocent from those who might actually pose a threat to our country.

Since DHS doesn’t seem willing or able to do its job, Congress should clarify the situation lest those coming here seeking sanctuary and freedom will continue to be thrown into camps or turned back to the very people they were fleeing.

Or we could just eliminate “home of the brave” from our national anthem.

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