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## **U.S. anti-terror crackdown slams door on some Hmong**

### **Anti-communist fighters who recently fled Laos ineligible for asylum**

BY FREDERIC J. FROMMER  
Associated Press

Anti-terror laws aimed at keeping terrorists out of the United States have disqualified many Hmong refugees, the very people who only a few years ago received special recognition from Congress for their work as allies of U.S. troops during the Vietnam War.

Under provisions of the USA Patriot Act and the Real ID Act, the Hmong who remained to fight against Laos' communist regime in the decades after the Vietnam War are considered terrorists because of their guerrilla activities and therefore are ineligible for future asylum or green cards.

Ironically, in 2000 Congress passed a law easing the citizenship requirements for the Hmong in recognition of their efforts fighting alongside Americans during the Vietnam-era conflict in Laos, known as the "secret war."

DFL state Sen. Mee Moua, of St. Paul — where more Hmong reside than in any other U.S. city — said the restrictions for now focus on Hmong soldiers who remained in Laos after 1975 to continue fighting but recently have begun to give up their resistance because of a government crackdown on the ethnic minority.

"That group is part of the collateral damage of the Bush administration's war on terror," Mee Moua said.

Melanie Nezer, an attorney for the Hebrew Immigrant Aid Society who is coordinating a working group aimed at changing the laws, said: "Clearly, it's absurd that people who fought with us — people who have received special exemptions from the law precisely for that conduct — should be barred from coming to the U.S. as refugees as a result of that conduct."

Hmong refugees began arriving in the United States in the aftermath of the Vietnam War. There were about 170,000 in the United States as of the 2000 U.S. census — including 41,800 in Minnesota, with 24,400 in St. Paul.

A later wave of 15,000 settled in the United States in 2005 — and that group was required to prove they were part of the original group that left Laos in the 1970s in order to gain U.S. entry, Mee Moua said.

The current debate appears to center on a Hmong refugee camp in Thailand's Phetchabun province. The camp houses some 6,000 Hmong refugees from Laos, who largely left the country in the years after the 1970s — particularly since 2004, according to Amnesty International statistics.

"The Laos government reportedly has begun to crack down very harshly. Many of these groups are now forced, basically by starvation, to come out of jungles into the cities," Mee Moua said.

Neither Mee Moua nor state Rep. Cy Thao, DFL-St. Paul, said they have received any calls from local Hmong who may have overseas family members affected by the provisions.

Philip Smith, the Washington, D.C., director of Lao Veterans of America, a Hmong advocacy group, said the restrictions prevent Hmong refugees from coming to the United States. In addition, he said, the restrictions make it difficult for those who are already here to obtain green cards, which establish permanent residency.

"Thousands of Hmong veterans and family members are threatened with potential deportation down the road," he said. "And there is a clear and present danger they cannot be naturalized in a timely manner."

Mee Moua also expressed concern over what questions might be posed to Hmong immigrants if they decide to apply for U.S. citizenship.

"Will they be asked the question (about whether they fought against the Laotian government)?" she said.

The anti-terrorism restrictions, which have ensnared other groups as well, also bar people who provided "material support" to terrorist organizations. Last month, the Bush administration announced it was granting waivers of that restriction to eight groups, but the Hmong were not among them.

In Thailand, 153 Hmong refugees have been in limbo as they await resettlement from an immigration detention center in the northern town of Nong Khai. A few weeks ago, the Thai government aborted plans to send the Hmong back to neighboring Laos, after the men in the group resisted and U.N. and U.S. officials expressed concern about the planned deportation. The Netherlands recently agreed to take 22 of the Hmong.

Xee Vang, of Menasha, Wis., said her brother-in-law, his wife and their eight children are among those at the detention center. Xee Vang said her brother-in-law, whom she declined to identify by name, had fought alongside Americans during the Vietnam War, then fled to the jungle.

"It's very emotionally draining and frightening to hear about him and his family," said Xee Vang, who spoke on behalf of herself and her husband, Chou Vang. "My husband is taking it very hard."

She said they have given up hope that their relatives will be able to come to the United States.

Paul Rosenzweig, the Department of Homeland Security's acting assistant secretary for international affairs, said most Hmong families have members who actually took up arms and so would not be eligible for the material support waiver. He said the Bush administration is working on legislation to ease the restriction on the Hmong and other groups, which it will propose to Congress.

Rep. Jim Sensenbrenner, the Wisconsin Republican who was a main driving force behind both the Patriot Act of 2001 and the Real ID Act — passed four years later to set a national standard for driver's licenses — as chairman of the House Judiciary Committee, declined an interview request. Through a spokesman, he said: "The laws are fine. If the Department of Justice and other agencies are overstepping their bounds, then the courts will stop them."

Last year, Sen. Patrick Leahy, D-Vt., and Sen. Norm Coleman, R-Minn., unsuccessfully tried to get an appropriations bill amended to change the restrictions. Coleman said he would continue to seek a legislative fix.

"Hmong refugees, who dedicated their service to America during the Vietnam War, have looked to the U.S. as a place of hope and a sanctuary from persecution," he said in a statement.

Tad Vezner contributed to this report.