

## Waiver Plan Would Aid Some Asylum-Seekers

By [Darryl Fears](#)

Washington Post Staff Writer

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The Bush administration yesterday announced a plan to grant waivers to foreign nationals whose applications for refugee status and asylum have been hindered by strict interpretations of anti-terrorism laws.

Officials in the departments of State, Justice and Homeland Security said Secretary of State Condoleezza Rice will soon sign eight waivers helping refugees in camps outside the United States who were automatically barred from entry under the USA Patriot Act and Real ID Act because they provided "material support" to armed groups -- even though those organizations have not been officially designated as terrorist groups. The waivers would also help refugees who provided support to certain terrorist groups under duress, at gunpoint or under the threat of rape or other physical abuse.

Applicants for refugee status outside the United States will now be reviewed on a case-by-case basis to determine the reasons for their support. A separate waiver from Homeland Security Secretary Michael Chertoff could be granted to refugees who entered the United States illegally and sought asylum. Some of these applications had been rejected after immigration judges determined that the applicants provided material support to terrorists.

Previously, some people who had aided guerrilla groups fighting the military junta in Burma had had asylum claims rejected because they were part of armed groups or provided "material support" to them. In addition, the applications for citizenship for Hmong and Montagnard fighters who had battled alongside U.S. troops in Laos and Vietnam had been stalled, and several of their supporters suspected the problem was that they had taken up arms against the communist government.

Administration officials said they did not know why applications for the Hmong and Montagnard had not been processed. But they acknowledged that language in the law could have had an unintended effect on the former fighters. They said they will ask Congress to insert language in the law to ease restrictions that affect those groups.

The administration's actions followed a barrage of complaints from conservatives and liberals alike who said the White House was straying from the nation's humanitarian impulse to help the persecuted. [Sen. Edward M. Kennedy](#) (D-Mass.) was scheduled to hold a hearing on the issue next week.

"There isn't anybody in the room who does not wish we could have moved more quickly than we have," said Paul Rosenzweig, assistant secretary of population, refugees and immigration at Homeland Security. He acknowledged that advocates for refugees had complained for more than

two years. Rosenzweig said action was hindered by language in the laws and a slow-footed bureaucracy.

The number of people granted asylum since 2001 has fallen steadily, according to the Department of Homeland Security, and the number of refugee arrivals has fluctuated since 2001 -- from a high of 68,925 that year to 28,304 in 2003 to 53,738 last year.

Michael Horowitz, a fellow at the conservative Hudson Institute who criticized the administration's policy toward refugees, said yesterday's announcement is a step forward.

"I would say considerable progress has been made," he said, adding there are still issues that must be resolved. For instance, there are no waivers to help people who were forced at gunpoint to help terrorist groups such as the Revolutionary Armed Forces of Colombia (FARC).

Eleanor Acer, director of the asylum program for Human Rights First, said she is wary of the administration's announcement. "They provided no detail, so it's totally impossible to know how the waiver process will actually work, or how long it will take refugees to actually seek one of these waivers and be granted asylum," she said.