Mr. President, the supplemental contains a provision,

section 1711, which was carefully worked out through discussions

between my office, the offices of Senator Specter, Senator Brownback,

Senator Kennedy, Senator Coleman and Senator Feingold, as well as with

representatives of the Department of Homeland Security, the Department

of Justice, the Department of State, and the National Security Council.

This provision contains six subsections, (a) through (f).

Subsections (a) and (d) were written by the administration.

Subsections (b) and (f) were written by the Senator from Arizona,

Senator Kyl.

Subsection (c) provides an exception for cases involving duress,

which is consistent with the administration's policy except that this

provision would codify it into law.

Section (e) is a reporting requirement.

That is the whole provision. It represents months of discussion and

compromise on an issue that has been a focus of concern of faith-based

organizations and humanitarian organizations, conservative and liberal,

Democratic and Republican.

Here is the background.

Current law, as a result of overbroad amendments in the PATRIOT Act

and Real ID Act, has been used to bar refugees and asylum seekers who

were either members of groups who fought on the side of the United

States, such as the Hmong, the Montagnards, and the Northern Alliance

in Afghanistan, or who were the victims of terrorist groups and forced

to provide ``material support,'' such as food, shelter, or other

services.

Administration officials have acknowledged that they have been

inexcusably slow to deal with this problem. Thousands of refugees and

hundreds of asylum seekers have been in limbo as a result. We now face

the additional problem of Iraqi refugees, 7,000 of whom the President

says should be admitted to the United States, being barred from

admission unless we fix the law.

After considerable prodding, the administration has moved in the

right direction. Two weeks ago, it took another welcome step, although

we have not yet seen the results of this reported change of policy.

The number of refugees admitted to the United States would not be

increased or decreased by this provision. That is determined by the

numerical limit set by the President each year and by the amount we

appropriate for refugee admissions.

Numerous editorials have described the horrific consequences for

refugees who have been victimized by current law.

Just the titles of these editorials tell the story: ``Shutting Out

Terrorism's Victims,'' ``Doctors Without Refuge,'' ``Anti-terror laws

keeping out old Vietnam allies,'' ``Punishing the Persecuted,'' ``U.S.

denies refuge to friends, the abused,'' ``The Refugee Mess,''

``Excluding Friends,'' and finally, ``Fix This Law.''

I will ask that just three of these editorials be printed in the

Record at the close of my remarks.

This provision is a compromise that would get our law back in sync

with our values, but now the Senator from Arizona, Mr. Kyl, has raised

a rule XVI point of order against this provision and had it stricken

from the bill.

It is regrettable that one Senator, for whatever reason, has decided

to torpedo this bipartisan effort. We have worked with the

administration. We have worked with refugee organizations that know the

hardship current law is causing for thousands of innocent people,

legitimate refugees and asylum seekers, who have been denied admission.

We have worked to find a reasonable middle ground.

But that isn't good enough for the Senator from Arizona, so we are

back to square one. Individuals who fought alongside the United States

in Vietnam, in Afghanistan, and elsewhere will continue to be barred

under current law. Our provision would have fixed this illogical,

unfair result, but now that provision has been stricken so those former

allies--the Hmong, the Montagnards and others--will remain excluded.

Innocent victims of the material support bar will continue to wait

for the Federal bureaucracy to address their cases--a wait that is well

into its third year. Victims of terrorist groups like the FARC in

Colombia or the Lord's Resistance Army in Uganda get no help from the

Congress.

I regret this action by the Senator from Arizona. By striking this

provision he ensures the perpetuation of a policy that is contrary to

our values, to our morals, and to our national traditions.

I wish to thank all Senators who have joined in this effort but

particularly Senator Brownback, Senator Specter, Senator Kennedy,

Senator Coleman, and Senator Feingold. I also wish to thank

representatives of the humanitarian and other groups who have provided

helpful information and advice, as well as officials in the

administration who have made a sincere effort to work with us.

While the Senator from Arizona has singlehandedly prevented us from

moving forward at this time, we will continue to work together to fix

the law in a manner that reaffirms our commitment to the words that are

carved in the Statue of Liberty.

Mr. President, I ask unanimous consent that the aforementioned

editorials be printed in the Record.

There being no objection, the material was ordered to be printed in

the Record, as follows: