

ask that the treaty be considered as having been read the first time, that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty Between the Government of the United States of America and the Government of the Republic of South Africa, signed at Washington on September 16, 1999.

In addition, I transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the Treaty will not require implementing legislation.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States.

The Treaty is one of a series of modern extradition treaties being negotiated by the United States to counter criminal activities more effectively. Upon entry into force, the Treaty will replace the outdated Treaty Relating to the Reciprocal Extradition of Criminals signed at Washington, December 18, 1947, and in force between the two countries since April 30, 1951. Together with the Treaty Between the Government of the United States of America and the Government of the Republic of South Africa on Mutual Legal Assistance in Criminal Matters, also signed September 16, 1999, this Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of the two countries. It will thereby make a significant contribution to international law enforcement efforts against serious offenses, including terrorism, organized crime, and drug-trafficking offenses.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON,
THE WHITE HOUSE, May 18, 2000.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following Department of Defense nominations reported by the Armed Services Committee: Nos. 474 and 475.

I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements related to the nominations be printed in the RECORD,

that the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed, as follows:

DEPARTMENT OF DEFENSE

Gregory Robert Dahlberg, of Virginia, to be Under Secretary of the Army.

Bernard Daniel Rostker, of Virginia, to be Under Secretary of Defense for Personnel and Readiness.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

HMONG VETERANS'
NATURALIZATION ACT OF 2000

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 562, H.R. 371.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 371) to facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 371

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hmong Veterans' Naturalization Act of 2000".

SEC. 2. EXEMPTION FROM ENGLISH LANGUAGE REQUIREMENT FOR CERTAIN ALIENS WHO SERVED WITH SPECIAL GUERRILLA UNITS OR IRREGULAR FORCES IN LAOS.

The requirement of paragraph (1) of section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)(1)) shall not apply to the naturalization of any person—

(1) who—

(A) was admitted into the United States as a refugee from Laos pursuant to section 207 of the Immigration and Nationality Act (8 U.S.C. 1157); and

(B) served with a special guerrilla unit, or irregular forces, operating from a base in Laos in support of the United States military at any time during the period beginning February 28, 1961, and ending September 18, 1978; or

(2) who—

(A) satisfies the requirement of paragraph (1)(A); and

(B) was the spouse of a person described in paragraph (1) on the day on which such described person applied for admission into the United States as a refugee.

SEC. 3. SPECIAL CONSIDERATION CONCERNING CIVICS REQUIREMENT FOR CERTAIN ALIENS WHO SERVED WITH SPECIAL GUERRILLA UNITS OR IRREGULAR FORCES IN LAOS.

The Attorney General shall provide for special consideration, as determined by the

Attorney General, concerning the requirement of paragraph (2) of section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)(2)) with respect to the naturalization of any person described in paragraph (1) or (2) of section 2 of this Act.

SEC. 4. DOCUMENTATION OF QUALIFYING SERVICE.

A person seeking an exemption under section 2 or special consideration under section 3 shall submit to the Attorney General documentation of their, or their spouse's, service with a special guerrilla unit, or irregular forces, described in section 2(1)(B), in the form of—

(1) original documents;

(2) an affidavit of the serving person's superior officer;

(3) two affidavits from other individuals who also were serving with such a special guerrilla unit, or irregular forces, and who personally knew of the person's service; or

(4) other appropriate proof.

SEC. 5. DETERMINATION OF ELIGIBILITY FOR EXEMPTION AND SPECIAL CONSIDERATION.

In determining a person's eligibility for an exemption under section 2 or special consideration under section 3, the Attorney General—

(1) shall review the refugee processing documentation for the person, or, in an appropriate case, for the person and the person's spouse, to verify that the requirements of section 2 relating to refugee applications and admissions have been satisfied;

(2) shall consider the documentation submitted by the person under section 4;

[(3) shall request an advisory opinion from the Secretary of Defense regarding the person's, or their spouse's, service in a special guerrilla unit, or irregular forces, described in section 2(1)(B) and shall take into account that opinion; and

[(4) may consider any certification prepared by the organization known as "Lao Veterans of America, Inc.", or any similar organization maintaining records with respect to Hmong veterans or their families.]

(3) may request an advisory opinion from the Secretary of Defense regarding the person's, or their spouse's, service in a special guerrilla unit, or irregular forces, described in section 2(1)(B); and

(4) may consider any documentation provided by organizations maintaining records with respect to Hmong veterans or their families.

The Secretary of Defense shall provide any opinion requested under paragraph (3) to the extent practicable, and the Attorney General shall take into account any opinion that the Secretary of Defense is able to provide.

SEC. 6. DEADLINE FOR APPLICATION AND PAYMENT OF FEES.

This Act shall apply to a person only if the person's application for naturalization is filed, as provided in section 334 of the Immigration and Nationality Act (8 U.S.C. 1445), with appropriate fees not later than 18 months after the date of the enactment of this Act.

SEC. 7. LIMITATION ON NUMBER OF BENEFACTORIES.

Notwithstanding any other provision of this Act, the total number of aliens who may be granted an exemption under section 2 or special consideration under section 3, or both, may not exceed 45,000.

Mr. HATCH. Mr. President, I thank my distinguished colleague from Wisconsin, Senator FEINGOLD, as well as my distinguished colleagues Senators WELLSTONE, GRAMS, KOHL and GRASSLEY, for their leadership and effort on behalf of the Hmong veterans and in support of this legislation. Also, I

would like to make special mention of Senator KOHL's critical role in bringing all parties together and in negotiating this compromise. Senator KOHL's role truly was pivotal.

With respect to Senator GRAMS, I would like to point out my appreciation for all that he has done to assist the Hmong veterans and their families in Minnesota.

I also appreciate very much the efforts of the Lao Veterans of America with their national recognition ceremonies for the Hmong and Lao veterans of the U.S. Secret Army and the monument that they dedicated at Arlington National Cemetery.

Mr. President, it is important to state that a negative inference should not be drawn from the fact that in moving this legislation through the Senate today, the Senate has amended the bill to eliminate specific mention of any one organization. In fact, the distinguished organization mentioned in the original House legislation was cited because of its role in developing, organizing and keeping records regarding the service of Hmong and Lao veterans who served with U.S. military and covert forces in Laos during the Vietnam War. It, along with other such organizations, may be helpful in providing input for the naturalization of the Hmong veterans and their families.

Mr. FEINGOLD. Mr. President, I thank the distinguished chairman of the Judiciary Committee, Senator HATCH, for his assistance in getting this legislation to the floor. I concur with Senator HATCH that a negative inference should not be drawn from the fact that the bill was amended to remove reference to a specific organization. Given that there is reason to believe that the federal government has little, if any, remaining records of which Lao and Hmong participated in the U.S. Secret Army, I think it is entirely reasonable for the Attorney General to consider documentation provided by the Lao Veterans of America or other Lao or Hmong veterans' organizations. In fact, I understand that the Lao Veterans of America was named in the House legislation because it has maintained extensive records of the Hmong and Lao veterans of the U.S. Secret Army.

Mr. WELLSTONE. Mr. President, I thank Chairman HATCH, Senator FEINGOLD and Senator KOHL for their work in passing the Hmong Veterans Naturalization Act through the Judiciary Committee today. I am proud to be its sponsor in the Senate. In particular, I would like to commend Rep. Bruce Vento for his efforts on this legislation and his extraordinary courage and selfless devotion to the important cause of the Hmong veterans.

I would like to affirm my colleagues' remarks and thank the Lao Veterans of America, the nation's largest Hmong veterans organization, for its leadership in helping to bring long-overdue national recognition to the Hmong and Lao veterans of the U.S. Secret Army,

as well as pushing for the passage of this legislation in the House and Senate. Lao Veterans of America is the nation's first non-profit veterans organization representing Hmong and Lao veterans of the U.S. Secret Army. These veterans and their families served with U.S. military and clandestine forces in Laos during the Vietnam War. Starting in 1990, the group established and began maintaining the nation's largest repository of records relating to the Hmong and Lao veterans who served with U.S. clandestine and military forces.

Mr. President, the Lao Veterans of America's second largest chapter is headquartered in Minnesota. I have heard from hundreds of Hmong Americans in support of this bill over the years. I want to thank them, as well as all the Hmong people from Minnesota and around the country who made the passage of this bill possible.

Mr. KOHL. Mr. President, I would also like to add my comments. Thank you Chairman HATCH for your kind words and all your help and the help of your staff in moving this important legislation forward. Thank you as well to my fellow Senator from Wisconsin and Senators WELLSTONE and GRAMS from Minnesota. I am pleased that we were able to work together to reach a compromise and help give the Hmong veterans and their families the chance to become citizens. The Hmong community, particularly the Lao Veterans of America, have worked tirelessly to bring us to this point. As my colleagues have mentioned, no negative inference should be drawn from the compromise language. Last week, I was proud to participate in the Lao Veterans of America National Recognition Ceremonies with so many Hmong veterans from Wisconsin. With this bill, we are attempting to repay them for their tremendous sacrifices and courage. I hope that we can achieve the final steps and send this bill to the President's desk for signature as soon as possible.

Mr. LEAHY. I rise today in support of the Hmong Veterans' Naturalization Act of 2000, which has passed the House and deserves our support as well. The beneficiaries of this bill are guerrilla soldiers—and their spouses and widows—who were our allies in Laos during the Vietnam War. Many of these soldiers came to the United States with their families after the war and have contributed to the American economy through their labor and by paying taxes. Now many of them seek to become citizens of this country, but find it difficult to meet the prerequisites for naturalization due to the unique characteristics of their native culture.

Until quite recently, the Hmong people had no written language. This lack of experience with written language has made it more difficult for Hmong people who have moved to the United States to learn English, which in turn makes it more difficult for them to ob-

tain citizenship. This bill would waive the English language requirement and provide special consideration for the civics requirement for Hmong veterans and their spouses and widows. It is a small concession to make in return for the great sacrifices that these men made in fighting for the American cause in Southeast Asia.

I would like to commend Senators WELLSTONE and FEINGOLD for the efforts they have made to draw attention to this issue and this bill, and to thank Representative VENTO whose persistence has made this bill possible. I would also note that this is a bipartisan bill that Senators HAGEL and MCCAIN have cosponsored. My only disappointment is that the majority made it impossible to report this bill from the Judiciary Committee last week, when we were joined at the hearing by many of the brave soldiers whom this bill would benefit. Instead of working out its concerns with the bill's sponsors in advance, the majority insisted upon an 11th-hour amendment, an amendment that—in violation of normal practice—was not distributed to members of this Committee. This conduct came only a week after the majority objected to an attempt to pass the House bill on the floor—an attempt that was cleared by every Senator on my side of the aisle.

But it is better to pass this bill after a delay than not at all. I am grateful for the opportunity to have helped bring this bill to the floor today, and I look forward to the day when these brave veterans become American citizens. It is a privilege that they have more than earned.

Mr. WELLSTONE. Mr. President, I will take a moment to thank my colleagues for passing S. 890, the Hmong Veterans Naturalization Act. Frankly, this bill is long overdue.

As the Senator from Minnesota, I am proud to represent the largest Hmong population in America. There are nearly 70,000 Hmong people living in the twin cities. My experience as a Senator has become so much greater as a result of coming to know the noble history and rich culture of the Hmong people in Minnesota. I am in awe of their sacrifice for the American people.

Hmong soldiers died at ten times the rate of American soldiers in the Vietnam War. As many as 20,000 Hmong fell on the mountains in Laos. Hmong soldiers were paid \$3 a month and often lived off of rice alone. Where American pilots were sent home after a year or after their one hundredth mission, Hmong soldiers never stopped fighting. "Fly till you die" was what the Hmong soldiers said. And, as adults died, children as young as twelve were called up to take their place. In exchange for their service, the Hmong were given a promise of protection by the United States Government.

Yet the promise made on the battlefield was abandoned. When the United States military fled South East Asia, the Hmong Geurillas were left to fight

alone. A trail of 100,000 refugees were left to fend for themselves. Many were slaughtered as they waited for evacuation planes that never came.

Because America's war effort in Laos was covert, perhaps the largest covert action in our history, the sacrifices and service of the Hmong and Lao veterans is still largely untold. As a result, many of these brave people are still suffering from poverty, discrimination, and persecution.

The legislation we passed today is a tribute to this sacrifice. It is a small but meaningful step in honoring and fulfilling our promise to the Hmong people. This legislation will simply waive the literacy requirement to all Hmong Veterans and their spouses to become citizens of the United States—a nation for which so many of them spilled their blood and a nation that has long ignored their unique struggle.

The need for this legislation is acute because the Hmong had no written language until recently, and because so many Hmong children were fighting for America when they should have been in school.

I want to thank my colleagues for their support. In particular, I also want to take a moment to thank and honor Congressman BRUCE VENTO. He, more than anyone in the Congress, has dedicated himself to ensure that Hmong and Lao veterans receive the honor and respect that has been so long deserved and too long delayed. I also want to thank Chairman HATCH, for guiding this bill through the Judiciary Committee and Senator RUSS FEINGOLD who, with Senator HERB KOHL, has worked so hard to see that this bill is passed. Mostly, I thank the Hmong people. You gave us your lives and your families. You are American heroes.

Mr. FEINGOLD. Mr. President, I am very pleased that the Senate today will pass H.R. 371, the Hmong Veterans' Naturalization Act. I was proud to join my colleague from Minnesota, Senator WELLSTONE, as an original co-sponsor of S. 890, which was companion legislation to H.R. 371. I commend Senator WELLSTONE for his leadership on this issue and for his persistence in pressing for the Judiciary Committee and the full Senate to consider the bill.

By passing this legislation today, the Senate recognizes the contribution of Hmong and Lao immigrants who risked their lives to support U.S. interests in Southeast Asia. The Senate not only recognizes the valor of Hmong and Lao veterans, but also helps them achieve their goal of citizenship.

Mr. President, Wisconsin is home to the third largest Hmong community in the United States. We are proud of the Hmong veterans and their families who sacrificed so much for U.S. national security during the Vietnam War and have done so much to enrich Wisconsin and the United States. I have had the opportunity to meet many Lao and Hmong veterans and their families as I travel throughout Wisconsin. I am struck by the profound importance

they place on becoming citizens of the United States. The most important thing to many of these individuals is to become legal citizens of the country they risked their lives to help and that they now call home. This bill is the least we can do to help repay the huge debt we owe these brave individuals.

This legislation is truly long overdue. The Hmong and Lao veterans of the U.S. Secret Army should not have had to suffer for so long in obscurity after the end of the Vietnam War. It should not have taken so long for the United States to finally dedicate a monument in Arlington National Cemetery to the Hmong and Lao veterans of the U.S. Secret Army, when it did so in May 1997.

Mr. President, the monument at Arlington National Cemetery to the Hmong veterans contains important language for us to remember as we pass this legislation today in the Senate. The monument in Arlington Cemetery, dedicated by many of the Hmong veterans and their families from Wisconsin and across the United States, reads as follows:

DEDICATED TO THE U.S. SECRET ARMY IN LAOS
1961-1973

In memory of the Hmong and Lao combat veterans and their American Advisors who served freedom's cause in Southeast Asia. Their patriotic valor and loyalty in the defense of liberty and democracy will never be forgotten "You will never be forgotten. (in Laotian and Hmong)—Lao Veterans of America, May 15, 1997."

Mr. President, I am particularly proud of the Lao Veterans of America chapters throughout the state of Wisconsin—in Milwaukee, Green Bay, Madison, Wausau, Stevens Point, Sheboygan, Oshkosh, Eau Claire and elsewhere. They played a positive role in helping to establish this monument as well as pressing the Congress to enact this legislation. They have also worked with the national headquarters of the Lao Veterans of America and its chapters across the United States to reconstruct many of the records of the veterans, which were destroyed in Laos at the end of the Vietnam War.

More than a thousand Hmong veterans from Wisconsin were in Washington, D.C. last week to commemorate the 25th anniversary of the end of the Vietnam War in Laos and the passage of this legislation in the House of Representatives. Over four thousand Hmong veterans marched down Pennsylvania Avenue and attended ceremonies at the Vietnam War Memorial, the U.S. Capitol and Arlington National Cemetery.

Mr. President, during the course of our consideration of this bill in Committee, an objection was raised to a provision of the bill that specifically mentions the Lao Veterans of America as an organization whose certification of the eligibility of an individual veteran as eligible for the benefits of this bill could be considered by the Attorney General. Given that there is reason to believe that the federal government has few remaining records of which Lao

and Hmong participated in the U.S. Secret Army, I think it is entirely reasonable for the Attorney General to consider documentation provided by the Lao Veterans of America or other Lao or Hmong veterans' organizations. In fact, I understand that the Lao Veterans of America was named in the House legislation because it has maintained extensive records of the Hmong and Lao veterans of the U.S. Secret Army. Frankly, I do not understand why this provision became such a sticking point, but in order to move this bill along and get it to the President's desk as quickly as possible, I agreed to a modification of this provision.

I am pleased that we reached agreement that this provision should not be removed in its entirety. And I emphasize, and I know that the Chairman of the Judiciary Committee agrees, that a negative inference should not be drawn from the fact that the name of this specific organization, the Lao Veterans of America, was removed from the bill. Even though its name was removed from the bill, the Lao Veterans of America can still provide documentation to the Attorney General, and the Attorney General may consider it.

Mr. President, I again want to thank Senator WELLSTONE, Senator KOHL, and Senator HATCH for their work to facilitate passage of this important legislation that will help Hmong veterans finally attain their well-deserved goal of U.S. citizenship.

Thank you, Mr. President. I yield the floor.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the bill, as amended, be read the third time and passed, and the motion to reconsider be laid upon the table, and that any statements relating thereto be placed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 371), as amended, was read the third time and passed.

Mr. LEAHY. Mr. President, if the Senator will yield a moment, I thank the Senator from Kansas and others for passing this bill. I know this has been a major cause of our retiring colleague from the other body, BRUCE VENTO. We had this before the Judiciary Committee this morning. I thank Senator HATCH and the others who helped make it possible to bring it out. It rights a grievous wrong, and it is a good piece of legislation.

Mr. BROWNBACK. I thank my colleague for mentioning that. It is important that we are getting this bill passed. It is right to bring attention to this matter. These are people who have done great things for us and for our country. It should be taken care of. I am glad it cleared through committee so well.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader,