



ASIAN AMERICANS
ADVANCING
JUSTICE



December 12, 2018

Kirstjen M. Nielsen
Secretary of Homeland Security
Washington, D.C. 20528

Dear Secretary Nielsen:

We write to express our deep concern about the potential deportation of thousands of Vietnamese refugees under pressure from the Department of Homeland Security (DHS) to change the terms of the current repatriation agreement between Vietnam and the United States.¹

This longstanding agreement, which was signed by the U.S. and Vietnamese governments in 2008 under President George W. Bush, does not provide for the deportation of any Vietnamese citizens who arrived in the United States before July 12, 1995. [Article 2, Para. 2] Even for those who came to the U.S. after July 12, 1995, the agreement promises to “take into account the humanitarian aspect, family unity and circumstances” of each person being considered for repatriation and to carry out repatriation “in an orderly and safe way, and with respect for the individual human dignity of the person repatriated.” [Article I, Para. 1,3]

The terms of this agreement recognize the complex history between the two countries and the dire circumstances under which hundreds of thousands of Vietnamese fled to the U.S. to seek refuge from political persecution in the aftermath of the Vietnam War. Many of those who fled were South Vietnamese who had fought alongside or otherwise supported the U.S. government during the war.

Upon their arrival into the U.S., Vietnamese refugees, many of them young children or teenagers, were resettled in struggling neighborhoods without support or resources to cope with significant trauma from the war. As a result, some made mistakes that funneled them into the criminal justice system. Despite these mistakes, the repatriation agreement has given thousands of former Vietnamese refugees a second chance. It has allowed families to stay together and enabled individuals not only to rebuild their lives but also to make a difference in their communities.

Despite this, in 2017, the U.S. government began exerting extreme pressure on Vietnam to repatriate thousands of Vietnamese immigrants, including many who arrived in the U.S. before 1995. Of great concern, some pre-1995 Vietnamese immigrants were deported to Vietnam in 2017

¹ U.S. Department of State, Agreement Between the Government of the United States and the Government of the Socialist Republic of Vietnam on the Acceptance of the Return of Vietnamese Citizens, Jan. 22, 2008, <https://www.state.gov/documents/organization/108921.pdf>.

and 2018, despite the terms of the agreement. In addition, we understand that the U.S. is continuing to aggressively push Vietnam to change its position on the repatriation of pre-1995 immigrants.

We strongly oppose any renegotiation of the repatriation agreement that does not preserve the current protections afforded to Vietnamese refugees, including the exclusion of pre-1995 immigrants from the agreement and the humanitarian considerations provided to all others.

We further urge you to honor the humanitarian spirit and intention embodied in the current agreement. To do otherwise would send thousands of Vietnamese refugees back to a country they fled years ago, tear apart thousands of families, and significantly disrupt immigrant and refugee communities in the U.S.

Thank you for your attention to this matter.

Sincerely,

Asian Americans Advancing Justice – Atlanta
Asian Americans Advancing Justice – AAJC
Asian Americans Advancing Justice – Asian Law Caucus
Asian Americans Advancing Justice – Chicago
Asian Americans Advancing Justice – Los Angeles
Southeast Asia Resource Action Center (SEARAC)

Cosigned community organizations:

An Nisa Hope Center
Asian American Democrats of Texas – Houston Chapter
Asian American Resource Workshop
Asian Prisoner Support Committee
Council on American-Islamic Relations (CAIR) Houston
Code Blue Media
Colorado People’s Alliance
Colorado Refugee Speakers Bureau
Emgage Texas
Pakistani American Voter Registration Initiative
PIVOT - The Progressive Vietnamese American Organization
Sister District Project
Street Fraternity
Vietnamese American Initiative for Development
Vietnamese American Roundtable

Cosigned elected officials:

Teri Anulewicz, Georgia State Representative, District 42
George L. Barker, Virginia State Senator, District 39
Daniel Biss, Illinois State Senator, District 9
David Bulova, Virginia House Delegate, District 37



Park Cannon, Georgia State Representative, District 58
Kirkland D. Carden, Duluth City Council, Georgia, Post 2
Andrea Cervone, Clarkston City Council, Georgia
Andre Dickens, Atlanta City Council, Georgia
Lan Diep, San Jose City Council, California, District 4
David Dreyer, Georgia State Representative, District 59
Jason Esteves, Atlanta Public Schools Board of Education Chair, Georgia
Amir Farokhi, Atlanta City Council, Georgia
Joseph Geierman, Doraville City Council, Georgia
Helen Gym, Philadelphia City Councilmember At-Large, Pennsylvania
Gregory S. Harris, Illinois State Representative, District 13
Sheila Jones, Georgia State Representative, District 53
Ash Kalra, California State Assemblymember, District 27
Angelika Kausche, Georgia State Representative, District 50
Mark Keam, Virginia House Delegate, District 35
Dar'shun Kendrick, Georgia State Representative, District 93
Johnny Khamis, San Jose City Council, California, District 10
Stephe Koontz, Doraville City Council, Georgia, District 3
Kaye Kory, Virginia House Delegate, District 38
Phong La, Alameda County Assessor-Elect, California
Sam Liccardo, Mayor of San Jose, California
Theresa Mah, Illinois State Representative, District 2
Pedro Marin, Georgia State Representative, District 96
Bee Nguyen, Georgia State Representative, District 89
Cyndi Nguyen, New Orleans City Council, Louisiana, District E
Joe Nguyen, Washington State Senator, District 34
Richard Nguyen, Campbell Union School Board Trustee, California
Tam Nguyen, San Jose City Council, California, District 7
Tram T. Nguyen, Massachusetts State Representative, 18th Essex District
Sam Park, Georgia State Representative, District 101
Debra H. Rodman, Virginia House Delegate, District 73
Richard L. Saslaw, Virginia State Senator, District 35
Kim Schofield, Georgia State Representative, District 60
Renitta Shannon, Georgia State Representative, District 84
Marcus B. Simon, Virginia House Delegate, District 53
Ted Terry, Mayor of Clarkston, Georgia
My-Linh Thai, Washington State Representative, District 41
Bob Trammell, Georgia State Representative and Democratic Leader, District 132
Dean A. Tran, Massachusetts State Senator, Worcester-Middlesex
Hoang Tran, Federal Way City Council, Washington
Kathy Tran, Virginia House Delegate, District 42
Ram Villivalam, Illinois State Senator Elect, District 8
Hubert Vo, Texas State Representative, District 149
Armando Walle, Texas State Representative, District 140
Kelly B. Walsh, Decatur City Commissioner, Georgia
Vivian Watts, Virginia House Delegate, District 39
Matt Westmoreland, Atlanta City Council, Georgia
Nikema Williams, Georgia State Senator, District 39

