

Congress of the United States
Washington, DC 20515

September 29, 2020

Tony Pham
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, D.C. 20536-5003

Dear Acting Director Pham,

We write on the occasion of your appointment to this important position and to express our deep concern about the detention and deportation of Southeast Asian refugees from Laos, Cambodia, and Vietnam.

Hundreds of thousands of Southeast Asian refugees fled to the U.S. to seek freedom from political persecution in the aftermath of the Vietnam War and the Communist take-over of Vietnam, Cambodia, and Laos. Many of those who fled fought alongside or supported U.S. forces during the war. Others were born in refugee camps and have never set foot in the country to which they face deportation to.

Upon their arrival in the U.S., these 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. However, these refugees have served their time and are now positively contributing to their communities.

Recently, the Department of Homeland Security (DHS) repatriated thirty Vietnamese nationals, including individuals confirmed to be pre-1995 refugees. These individuals are protected by the terms of the 2008 US-Vietnam Agreement.

This longstanding agreement, which was signed under President George W. Bush, did not outline a bilateral agreement regarding the deportation of any Vietnamese citizens who arrived in the United States before the two countries reestablished diplomatic relations on July 12, 1995, as this was subject to previous legal positions of the two countries. [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]

As a refugee whose family fled communist forces, we know you are well aware of the struggle of the Vietnamese diaspora with the trauma of involuntary migration. These individuals and their families are Americans who are not familiar with the country they fled from. They may have made mistakes in their youth, but many have turned their lives around. We urge you to honor the humanitarian spirit and intention embodied in the 2008 US-Vietnam Agreement, and to halt deportation of Southeast Asian refugees. To do otherwise would send thousands of refugees back to countries they fled years ago, would tear apart thousands of families, and would significantly disrupt immigrant and refugee communities across the U.S.

Sincerely,



Alan Lowenthal
MEMBER OF CONGRESS

Zoe Lofgren
MEMBER OF CONGRESS

J. Luis Correa
MEMBER OF CONGRESS

Al Green
MEMBER OF CONGRESS

Adam Smith
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