

Congress of the United States
Washington, DC 20515

December 13, 2018

The Honorable Kirstjen M. Nielsen,
U.S. Secretary of Homeland Security
United States Department of Homeland Security
245 Murray Lane, S.W.
Washington, DC 20528

Dear Secretary Nielsen,

We write to express our deep concern about the Department of Homeland Security's (DHS) intention to renegotiate the terms of the 2008 memorandum of understanding (MOU) between Vietnam and the United States.

This longstanding agreement, which was signed by the U.S. and Vietnamese governments in 2008 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 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]

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 in 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. However, these refugees have completed their time and are now positively contributing to their communities. These individuals and their families are Americans who are not familiar with the country they fled from.

Since 2008, the MOU has not been renegotiated. 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.

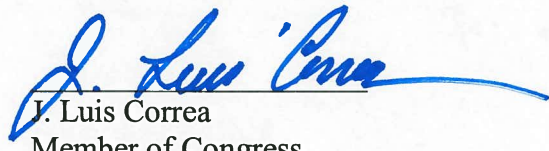
We strongly oppose any renegotiation of the MOU that strips the current protections afforded to Vietnamese refugees, including the exclusion from the agreement of pre-1995 immigrants and the humanitarian considerations provided to all others.

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.

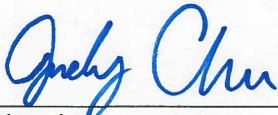
Sincerely,



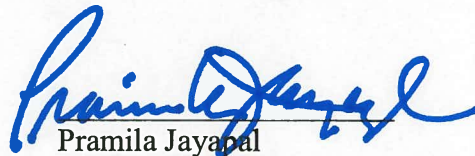
Alan Lowenthal
Member of Congress



J. Luis Correa
Member of Congress



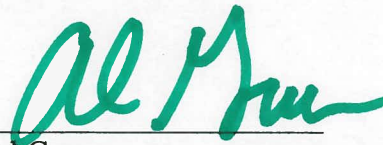
Judy Chu
Member of Congress



Pramila Jayapal
Member of Congress



Zoe Lofgren
Member of Congress



Al Green
Member of Congress



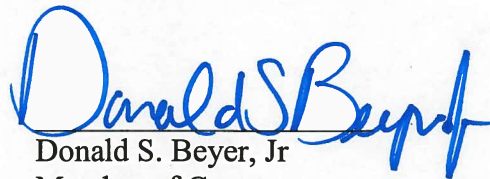
Anna G. Eshoo
Member of Congress



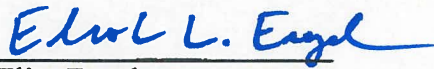
Barbara Lee
Member of Congress



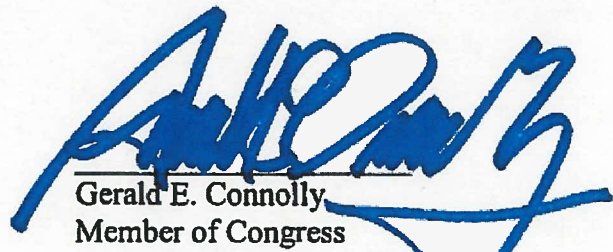
Brad Sherman
Member of Congress



Donald S. Beyer, Jr
Member of Congress



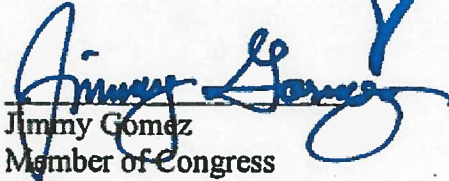
Eliot Engel
Member of Congress



Gerald E. Connolly
Member of Congress



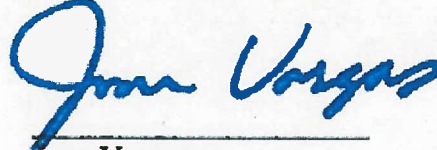
Van Schakowsky
Member of Congress



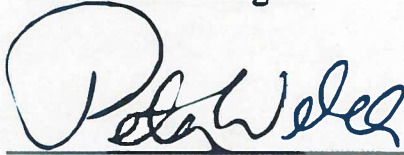
Jimmy Gomez
Member of Congress



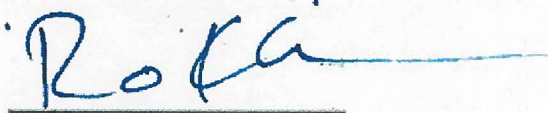
Adam Smith
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Juan Vargas
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Peter Welch
Member of Congress



Ro Khanna
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Ruben Gallego
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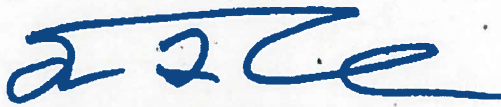
Scott Peters
Member of Congress



Stephanie Murphy
Member of Congress



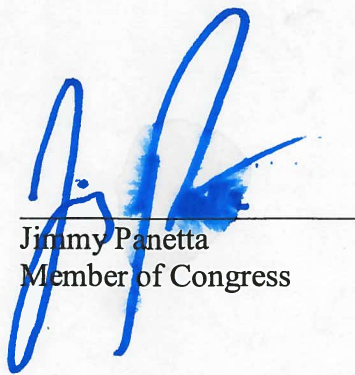
Rick Larsen
Member of Congress



Cedric L. Richmond
Member of Congress



Frank Pallone, Jr.
Member of Congress



Jimmy Panetta
Member of Congress



Mark Pocan
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