



## Southeast Asia Resource Action Center

**FOR IMMEDIATE RELEASE:**

December 26, 2007

**PRESS RELEASE**

Contact: SEARAC

Doua Thor

(202) 667-4690

[doua@searac.org](mailto:doua@searac.org)

Contact: HND

Nou Vang

(202) 797-9105

[nvang@hndinc.org](mailto:nvang@hndinc.org)

### **Community Victory: Material Support Legislation Signed Into Law**

**Washington, DC** – Material support legislation was signed into law today when President Bush signed a major spending bill that contained language addressing the issue. With the passage and signing of this law, Congress and the Administration took positive action and rectified some of the unintended consequences that were created by the *USA Patriot Act* and *REAL ID Act*, both of which labeled many refugees as “terrorists” and material supporters of terrorism. Today’s law provides major relief from the material support bars of inadmissibility for refugees from around the world. The law grants automatic relief for groups, including the Hmong and Montagnard, which do not pose threats to the United States. **The Hmong and Montagnard are now completely exempt from the material support bars.** In addition, this law gives the Administration the authority it needs to offer expanded waiver authority to other refugee groups, an option it did not have before.

The Hmong and Montagnard are two ethnic minority groups from Laos and Vietnam, respectively, and were recruited by the U.S. CIA and the Special Forces to fight alongside U.S. soldiers during the Vietnam War. Today’s law is significant for these communities, because prior to this legislative fix, the overly broad definitions of “terrorist” activity, as defined in the *USA Patriot Act* and *REAL ID Act*, applied to the Hmong and Montagnard and other refugee groups. This meant that the very activities that defined the Hmong and Montagnard as refugees, their fighting in support of the United States during the Vietnam War, defined them as terrorists. Since the enactment of the material support bars, untold numbers of Hmong and Montagnard were unable to move forward in their efforts to gain their permanent residencies. Their applications were put on indefinite hold until the resolution of the material support issue. In addition, the material support bars prevented thousands of the world’s most vulnerable refugees from admission to the United States.

Doua Thor, Executive Director of SEARAC states, “This is a tremendous victory for the Hmong and Montagnard communities. A comprehensive legislative fix was needed in order to rectify the many significant problems caused by the material support bars, and after a lengthy struggle, the day has finally arrived when we can say that a strong legislative solution is here.”

Congressman Mike Honda (CA-15), Chair of the Congressional Asian Pacific American Caucus (CAPAC) states, " Many refugees in need of protection have been denied access to our country due to irrationally broad definitions in anti-terrorism law. As a Member of the Appropriations Committee, I fought for this change in the law to ensure that our doors are not unjustly shut to those refugees who need our protection. This is a great victory for the Asian community, particularly the Hmong and Montagnard communities. I hope the Administration will use this new discretion appropriately to continue America’s longstanding commitment to a strong humanitarian program.”

Nou Vang, Executive Director of Hmong National Development noted, “Our communities have been waiting a long time for this. We are pleased that the President has signed the appropriations bill, relieving many in our

communities from the burden of being considered terrorists. We will continue to work diligently with our partners to ensure proper implementation.”

Today’s accomplishment would not have been possible were it not for the contributions of leaders in the Senate and House, including Congressman Honda, for his leadership on behalf of Asian American communities, and Senators Norm Coleman and Patrick Leahy. The multi-year effort that resulted in this proud day was a collaborative effort between many congressional offices as well as advocacy organizations. Both SEARAC and HND thank the members of Refugee Council USA (RCUSA) and the many community-based Southeast Asian American organizations for their tireless work towards a solution to the material support issues.

While this legislation is certainly a cause for celebration, it should not be forgotten that for many, this legislation does not provide the ideal solution. SEARAC and HND will continue to work with our partners and monitor the implementation of this legislation in order to ensure that all refugee and asylum seekers ultimately benefit from the removal of the material support bars and to make sure that the Administration implements the law in a timely and effective manner.

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