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Former Hmong Allies for the United States: Are They Now Terrorists?

By Jenny Yang

The issue of the Hmong who remain in the jungle of Laos is a real problem, however, there are domestic federal policies that require our immediate attention, and the issue I am writing about is called, "material support." The U.S. refugee resettlement program has historically been the cornerstone of U.S. foreign policy. Our country has always opened our doors to refugees and has been the largest resettlement country in the world. Minnesota is the number one state that resettles the most refugees and we should be proud of this fact. But what does it mean for refugees to be resettled in the U.S. now that the Democrats regained control of Congress, both the U.S. House of Representatives and the U.S. Senate?

Democrats and Republicans supported the USA Patriot Act in 2001 in the aftermath of September 11, and also the controversial REAL ID Act in 2005. Both legislations passed overwhelmingly because it would crack down on terrorist activities in order to protect our country's homeland security. However, due to unforeseen consequences, refugees overseas and newly resettled refugees are now categorized as "terrorists" under the new broadened definition of "terrorist activities."

Under this new definition, a "terrorist" is any individual or group of two or more who engaged in "terrorist activities" by attempting to raise arms against an official government entity or to cause damage to any property, and provided "material support" in the forms of any physical or monetary support to a "terrorist organization" is now deemed as a "terrorist," whether it was under "duress," by threatening or forcing an individual to provide material support.

Well, how does this affect the Hmong community overseas and here in the United States? Actually, it is quite simple. Historically, the Hmong were the allies of the Americans during the war in Vietnam and Laos, and subsequently many were resettled in the U.S. based on this close association to the United States. Now, the law interprets that any Lao Hmong person remaining overseas in Laos and/or who has recently fled to Thailand seeking refuge, and who was a former combatant with the CIA or whose father or grandfather worked for the CIA, has provided "material support" to fight against a government entity - Laos. Thus, making these refugees excludable for resettlement in the U.S. It gets even more ridiculous, because the former combatant's family has now provided "material support" to the combatant, in the form of food and shelter to that person and are now considered "terrorists." For example, the Hmong Freedom Fighters (Cob Fab) remaining in the jungles of Laos may never get the chance to be resettled in the U.S. even though they fought with the CIA during the Secret War, unless Congress and the Bush Administration take action to support a legislative resolution. Under this new definition, the Cob Fab have engaged in "terrorist activities" by fighting against the Lao government and because those around them have provided "material support" to these former combatants.

More importantly, this "material support" issue affects the newly arrived Hmong refugees who are now in the process of obtaining their citizenship as well as those refugees who want to file for family reunification. Material support is not only a Hmong refugee issue. This has impacted refugees from all over the world, for example, ethnic Burmese refugees, Cubans, ethnic

Montagnards, and African refugees. National advocates such as the Southeast Asia Resource Action Center (SEARAC) and the Refugee Council USA have learned that more than 1,400 cases have been put on hold by the U.S. Citizenship and Immigration Services (USCIS) due to "material support."

Democrats and Republicans failed to support a bi-partisan amendment introduced earlier this year by U.S. Senator Norm Coleman (R-MN) and Senator Patrick Leahy (D-VT) on the Senate floor. In the House, Congressman Joseph R. Pitts (R-PA) introduced legislation, H.R. 5918 on July 27, 2006 that would provide a legislative fix to prevent refugees from being deemed as a "terrorist." If Democrats and Republicans do not accomplish anything in the new 110th Session starting in January 2007, let's hope that "material support" will be the issue that they can agree to work together on for the most vulnerable population, refugees.

As members of the Hmong community, we need to be more active in the federal legislative process and be educated on the national issues that affect us and our community. We cannot continue to remain silent and allow others to make and decide national policies and then complain about the effects afterwards. There needs to be a durable and long-term legislative solution, and as community members, we need to pressure Members of Congress and the Bush Administration to support a legislative fix for all refugees.

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