

AMENDED IN ASSEMBLY JANUARY 10, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

Assembly Joint Resolution

No. 37

Introduced by Assembly Member Arambula
(Principal coauthor: Assembly Member Jones)

August 20, 2007

Assembly Joint Resolution No. 37—Relative to the Hmong community.

LEGISLATIVE COUNSEL'S DIGEST

AJR 37, as amended, Arambula. Hmong community.

This measure would ~~urge~~ *commend* the President of the United States and the United States Congress ~~to amend for protecting the rights of Hmong refugees to pursue full citizenship in this country and for amending the federal USA Patriot Act and federal Real ID Act, or to use existing administrative waivers under those laws, to ensure that groups that do not pose a threat to national security, such as the Hmong community, are not denied human rights, citizenship, or entry into the United States to redefine terrorist organizations, terrorists, and those providing material support to terrorists to exclude groups, such as the Hmong, who contributed and supported the United States during the Vietnam War and who pose no threat to national security.~~

Fiscal committee: no.

- 1 WHEREAS, The Hmong community deserves to be recognized
- 2 for its valuable contributions to the cultural, civic, and economic
- 3 well-being of California and the United States; and
- 4 WHEREAS, Throughout the United States' involvement in
- 5 Southeast Asia and the Vietnam War, the Hmong people were

1 stalwart allies of the United States in the struggle against the spread
2 of communism; and

3 WHEREAS, During the Vietnam War, the Hmong people were
4 actively recruited and trained by the United States Central
5 Intelligence Agency to take up arms against the communist regime
6 in support of the United States' national security objectives; and

7 WHEREAS, During the Vietnam War thousands of Hmong
8 men, women, and children died while supporting the United States'
9 effort to contain the spread of communism; and

10 WHEREAS, After the end of the United States' military
11 involvement in the Vietnam War in 1975, the Hmong people faced
12 life-threatening hardship and oppression, forcing hundreds of
13 thousands of Hmong to leave their homes as refugees; and

14 WHEREAS, The international Hmong community is now spread
15 around the world, including the United States where the Hmong
16 have significant communities in California, Minnesota, and
17 Wisconsin; and

18 WHEREAS, California has benefited greatly from the cultural
19 richness, industriousness, and patriotism of the Hmong community,
20 including contributions from a growing group of economic,
21 political, and civic leaders; and

22 WHEREAS, The USA Patriot Act (Public Law 107-56) and the
23 federal Real ID Act (Public Law 109-13) contain broad definitions
24 of "terrorist organization" that include groups that fought alongside
25 the United States in self-defense against authoritarian regimes,
26 and these federal laws do not recognize the unwavering loyalty of
27 the Hmong community and its sacrifices for this country; and

28 WHEREAS, The federal government has not vigorously used
29 its authority to grant waivers, as allowed in the USA Patriot Act
30 and the Real ID Act, to exempt allies of the United States, such as
31 the Hmong, thereby endangering the eligibility of these people to
32 escape hostile situations and enter the United States as legal
33 refugees; now, therefore, be it

34 *Resolved by the Assembly and the Senate of the State of*
35 *California, jointly,* That the Legislature of the State of California
36 hereby respectfully requests the President of the United States and
37 the United States Congress to take actions to protect the rights of
38 Hmong refugees' to pursue full citizenship in this country and
39 protect their human rights around the world; and be it further

1 ~~Resolved, That the California State Legislature requests the~~
2 ~~President and the Congress to amend the USA Patriot Act and the~~
3 ~~Real ID Act to provide definitions of terrorist organizations,~~
4 ~~terrorists, and those providing material support to terrorists which~~
5 ~~take into account the contributions of groups, such as the Hmong~~
6 ~~during the Vietnam War, that pose no threat to national security;~~
7 ~~and be it further~~

8 ~~Resolved, That the California State Legislature requests the~~
9 ~~President and the Congress, in the absence of federal legislation~~
10 ~~amending the USA Patriot Act and the Real ID Act, to utilize~~
11 ~~current administrative waiver authority to allow entry into the~~
12 ~~United States to groups, such as the Hmong, that do not pose any~~
13 ~~threat to national security; and be it further~~

14 *WHEREAS, The USA Patriot Act (Public Law 107-56) and the*
15 *federal Real ID Act (Public Law 109-13) had unintended*
16 *consequences that labeled many refugees, including Hmong groups*
17 *that fought alongside the United States in self-defense against*
18 *authoritarian regimes, as “terrorists” and “terrorist groups”;*
19 *now, therefore, be it*

20 *RESOLVED BY THE ASSEMBLY AND THE SENATE OF THE*
21 *STATE OF CALIFORNIA, JOINTLY, That the Legislature of the*
22 *State of California hereby commends the President of the United*
23 *States and the United States Congress for protecting the rights of*
24 *Hmong refugees to pursue full citizenship in this country; and be*
25 *it further*

26 *RESOLVED, That the California State Legislature further*
27 *commends the President of the United States and the United States*
28 *Congress for amending the USA Patriot Act and the Real ID Act*
29 *in H.R. 2764, which was recently passed and signed into law, to*
30 *redefine terrorist organizations, terrorists, and those providing*
31 *material support to terrorists to exclude groups, such as the*
32 *Hmong, who contributed and supported the United States during*
33 *the Vietnam War and who pose no threat to national security; and*
34 *be it further*

35 *Resolved, That the Chief Clerk of the Assembly transmit copies*
36 *of this resolution to the President of the United States and to each*
37 *Senator and Representative in the United States Congress.*

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