

Congress of the United States
Washington, DC 20515

March 4, 2020

Mr. Raymond Kovacic
Assistant Director, Office of Congressional Relations
U.S. Immigration and Customs Enforcement
500 12th St SW Stop 5003
Washington, DC 20536-5003

Re: Tsui, Yuen Mei (Chin)
A# 035-516-126

Dear Mr. Kovacic:

We are writing on behalf of Yuen Mei (Chin) Tsui, who is a Legal Permanent Resident being detained by Immigration and Customs Enforcement (ICE). Mr. Tsui contacted us regarding his Request for Custody Redetermination.

As stated in the enclosed correspondence, Mr. Tsui is a Legal Permanent Resident and his case was terminated by Immigration Judge Sheila Gallow on February 20, 2020. Mr. Tsui has been certified as a victim of human trafficking by Homeland Security Investigations, the New York State Division of Criminal Justice Service, and the U.S. District Attorney's Office for the Southern District of New York. We understand that the Federal Bureau of Investigation (FBI) and the U.S. District Attorney's Office for the Southern District of New York have opened an investigation into Mr. Tsui's traffickers, and Mr. Tsui has been cooperative in providing information. Mr. Tsui tells us that he wants to continue cooperating with the FBI and District Attorney's Office, and that it is difficult to fully participate in the investigation while in detention. We understand that Mr. Tsui's release and full participation in the investigation could help secure the safety of other trafficking victims.

It is our understanding that Mr. Tsui does not have any violent convictions on his record, and his two criminal convictions are directly tied to trafficking. We are told that one of Mr. Tsui's two convictions was vacated by Judge Goggin of the District Court of Nassau County on December 19, 2019 under a vacatur law designed to vacate convictions for survivors of trafficking. Additionally, Mr. Tsui's remaining conviction is for a crime involving moral turpitude and we understand that, under Homeland Security Investigations' certification of Mr. Tsui's status as a victim of trafficking as defined in the Trafficking Victims Prevention Act (TVPA), this precludes a finding that Mr. Tsui has committed a crime of moral turpitude.

Mr. Tsui tells us that his health has been suffering in immigration detention, and that he is not receiving the services that he is legally entitled to. The TVPA states that "a victim of a severe form of trafficking in persons shall be eligible for benefits and services under any Federal or State program or activity funded or administered by any official or agency." 22 U.S. Code § 7101. Mr. Tsui tells us that he has not received any of the benefits or services he is legally entitled to. We understand that Mr. Tsui has been diagnosed with diabetes and high blood pressure, and his doctor has confirmed that Mr. Tsui is at high risk for a stroke.

We are told that Mr. Tsui has extensive familial and community support in New York, and that his sister has arranged for him to live with her in Long Island, New York. It is our understanding that Mr. Tsui has been guaranteed a paid position with Destination Tomorrow, a community organization in New York City, immediately after his release. Additionally, we are told that New York has extensive resources for survivors of human trafficking that Mr. Tsui can connect to in order to heal. Accordingly, please advise us as to why Mr. Tsui is still being detained by ICE after his case has been terminated and his Legal Permanent Resident Card reissued. Also, please advise us as to the status of Mr. Tsui's Request for Custody Redetermination.

Please review Mr. Tsui's concerns and advise us as to your conclusions, consistent with all applicable rules and regulations. Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact Sarah Hague in Congresswoman Carolyn Maloney's office at (212) 860-0606.

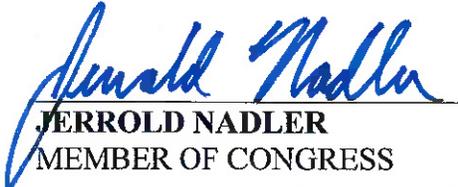
Sincerely,



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ALEXANDRIA OCASIO-CORTEZ
MEMBER OF CONGRESS



JERROLD NADLER
MEMBER OF CONGRESS



NYDIA M. VELÁZQUEZ
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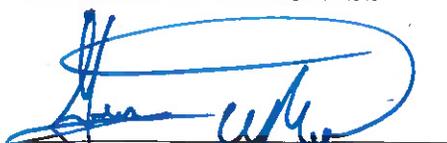
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CBM/ks

cc: Chin Tsui c/o Lynly Egyes, Transgender Law Center

Please Reply To: 1651 Third Avenue, Suite 311, New York, NY 10128-3679