



August 8, 2025

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, D.C. 20528

The Honorable Rodney S. Scott
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue NW
Washington, D.C. 20229

Mr. Todd M. Lyons
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street SW, Mail Stop 5902
Washington, D.C. 20536

Dear Secretary Noem, Commissioner Scott, and Acting Director Lyons:

On behalf of the Congressional Asian Pacific American Caucus (CAPAC), we write to express our serious concerns regarding the treatment of lawful permanent residents (LPR) of Asian ancestry by U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE). Over the past several months, multiple reports have emerged of Asian American and Pacific Islander (AAPI) LPRs and individuals with lawful immigration status being detained without access to due process. These repeated enforcement actions against individuals of Asian ancestry raise deeply troubling constitutional and procedural questions about the Department's conduct and treatment of individuals in their custody.

One such case involves Tae Heung "Will" Kim, a lawful permanent resident and PhD candidate at Texas A&M University, who was detained upon returning from a family trip to South Korea. He was held for nearly a week and denied contact with both his family and legal counsel.¹ When Mr. Kim's attorney attempted to contact him, CBP officials reportedly claimed that Mr. Kim had no right to speak to his attorney and that the Constitution did not apply to his client.²

¹According to the Washington Post, Mr. Kim's family believes that CBP officials were using Mr. Kim's cell phone. "When relatives asked via text if Kim is sleeping on the floor or if the lights remain on all day . . . the reply from Kim's phone read: 'Don't worry about it.'" Kim Bellware, *Scientist on green card detained for a week without explanation, lawyer says*, WASH. POST (Jul. 29, 2025), available at <https://www.washingtonpost.com/immigration/2025/07/29/korean-scientist-green-card-detained/>; Diana Paulsen, *Korean PhD student detained in California despite green card, lawyer says*, ABC NEWS (July. 29, 2025), available at <https://abcnews.go.com/US/korean-phd-student-detained-california-despite-green-card/story?id=124188729>.

²According to a statement released by the National Korean American Service & Education Consortium (NAKASEC), Mr. Kim is being held in "inhumane conditions" and that his "prolonged detention and lack of access to his lawyer raise profound constitutional concerns." Jasmine Venet, *Scientist Trapped at Airport in 'Inhumane' Conditions With No Explanation*, MSN.COM (Jul. 29, 2025), available at <https://www.msn.com/en-us/news/us/scientist-trapped-at-airport-in-inhumane-conditions-with-no-explanation/ar-AA1Jx5PG>.

In another instance, Yeonsoo Go, a 20-year-old Purdue University student who immigrated to the United States in 2021, was detained by ICE after attending a routine visa hearing.³ Go first immigrated to the United States on a dependent R-2 religious worker visa with her mother, who is an Episcopal priest. The attorney for Go stated the R-2 visa was renewed and valid through 2025, and DHS did not provide a reason or justification as to why they believed she “overstayed her visa.”⁴

Similarly, Mrs. Lewelyn Dixon, a laboratory technician at the University of Washington Medical Center and SEIU member, was arrested by CBP and then transferred to ICE custody for several months after a trip to the Philippines to visit family.⁵ Mrs. Dixon had lawfully lived in the U.S. since she was 14 years old.⁶ In addition, Mr. Maximo Londonio, a member of the International Association of Machinists and Aerospace Workers union, was arrested by CBP and transferred to ICE custody for two months after a family trip to the Philippines. Mr. Londonio is an LPR who came to the United States when he was 12 years old.⁷ ICE also detained a Vietnamese father from Garden Grove Orange County for over a month following a routine check-in.⁸ This father, whose name was withheld from reporting to protect his identity, had been brought to the U.S. as a child from war-torn Vietnam.⁹ Finally, Ms. Yunseo Chung, a South Korean student at Columbia University, has been fighting deportation the past several months because she exercised her First Amendment rights at a campus protest.¹⁰

These cases suggest potential violations of constitutional protections. The U.S. Constitution provides important due process protections to all persons within the United States, regardless of immigration status. For example, the Fifth Amendment guarantees due process protections against actions taken by the federal government, while the Sixth Amendment ensures the right to legal counsel in criminal prosecutions. The U.S. Supreme Court has repeatedly affirmed that LPRs are entitled to these same protections.¹¹

³ Crystal Cranmore, *Westchester high school grad detained by ICE after routine visa hearing, family says*, ABC7NY (August 4, 2025), available at <https://abc7ny.com/post/westchester-high-school-grad-detained-ice-routine-visa-hearing/17407805>.

⁴ Grace Moon, *Purdue student from South Korea released from ICE detention facility*, The Washington Post (August 6, 2025), available at <https://www.washingtonpost.com/immigration/2025/08/05/yeonsoo-go-south-korean-purdue-student-ice-detained-released/>.

⁵ Kimmy Yam, *Family calls for release of woman legally in U.S. for 50 years and now detained by ICE*, NBC News (Mar. 26, 2025), available at <https://www.nbcnews.com/news/asian-america/green-card-holder-50-years-detained-ice-rcna198044>.

⁶ Kimmy Yam, *Family calls for release of woman legally in U.S. for 50 years and now detained by ICE*, NBC News (Mar. 26, 2025), available at <https://www.nbcnews.com/news/asian-america/green-card-holder-50-years-detained-ice-rcna198044>.

⁷ Mandy Taheri, *Detained Green Card Holder Who Came to US as a Child Released From ICE*, Newsweek (July 12, 2025), available at <https://www.newsweek.com/detained-green-card-holder-who-came-us-child-released-ice-2098248>.

⁸ Staff, *Vietnamese father, an Orange County resident, held for more than a month after being detained by ICE*, ABC 7 (Mar. 27, 2025), available at <https://abc7.com/post/vietnamese-father-husband-fountain-valley-resident-is-held-detention-center-being-detained-ice/16088116>.

⁹ Staff, *Vietnamese father, an Orange County resident, held for more than a month after being detained by ICE*, ABC 7 (Mar. 27, 2025), available at <https://abc7.com/post/vietnamese-father-husband-fountain-valley-resident-is-held-detention-center-being-detained-ice/16088116>.

¹⁰ Jennifer Peltz & Michael Hill, *Columbia student protester can't be detained for now as she fights deportation, judge rules*, AP News (Mar. 25, 2025), available at <https://apnews.com/article/university-protests-palestinian-immigration-2d7bd689b013b8bb6300fd6ab54de933>.

¹¹ *Trump v. J.G.G.*, 604 U.S. ____ (2025); *Plyler v. Doe*, 457 U.S. 202, 215 (1982); *Landon v. Plasencia*, 459 U.S. 21 (1982); *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, 212 (1953); *Kwong Hai Chew v. Colding*, 344 U.S. 590, 596 n.5 (1953); *Johnson v. Eisentrager*, 339 U.S. 763, 770 (1950).

Beyond the constitutional concerns, CBP appears to have violated its own National Standards on Transport, Escort, Detention, and Search, (TEDS). TEDS guidance states that “individuals in CBP custody ‘[s]hould generally not be held for longer than 72 hours in CBP hold rooms or holding facilities. Every effort must be made to hold detainees for the least amount of time required for their processing, transfer, release, or repatriation as appropriate and as operationally feasible.’”¹²

Given these facts, we request responses to the following questions by **August 22, 2025**.

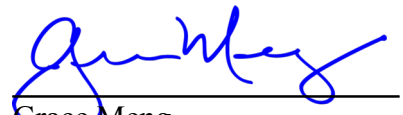
1. Since January 20, 2025, how many U.S. citizens or LPRs have been detained by CBP or ICE?
 - a. Please provide a breakdown by nationality, legal status, and duration of detention.
 - b. What percentage of the total detentions by CBP involved individuals of Asian ancestry?
 - c. How many of those detainees were also denied access to legal counsel?
 - d. At what point does CBP believe individuals are entitled to access to counsel?
2. Since January 20, 2025, has CBP or ICE detained other students, faculty, or researchers associated with U.S. universities?
 - a. Please provide a breakdown by institution, nationality, and legal status.
3. Why are individuals detained by CBP for longer than the 72-hour limit outlined in the TEDS Standards?
 - a. Since January 20, 2025, how many individuals have been held in CBP custody beyond this limit?
 - b. Has DHS implemented any internal oversight mechanisms to track and prevent such violations?
4. What legal grounding does CBP have to deny detainees access to legal counsel?

We look forward to receiving your timely answers to these questions.

Sincerely,



Dave Min
Member of Congress



Grace Meng
CAPAC Chair

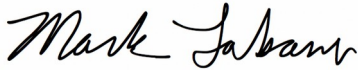
¹² U.S. CUSTOMS & BORDER PROT., *Short Term Detention* (Jan. 11, 2024), available at https://www.dhs.gov/sites/default/files/2024-03/2024_0111_cbp_short_term_detention.pdf.



Marilyn Strickland
Member of Congress



Ted W. Lieu
Member of Congress



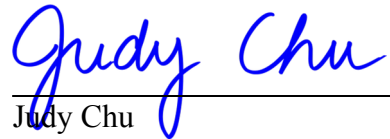
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Dan Goldman
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Raja Krishnamoorthi
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Jim Tokuda
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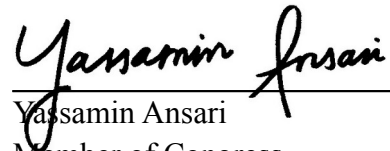
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