

Congress of the United States
Washington, DC 20515

May 26, 2022

The Honorable Joseph V. Cuffari
Inspector General
Office of Inspector General/MAIL STOP 0305
Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528-0305

Dear Inspector General Cuffari:

An alarming new report documents that the Boston Asylum Office’s grant rate is far below the national average, finding that it is “driven by a culture of suspicion toward asylum seekers and an overwhelming predisposition to refer asylum cases to immigration court.”¹ As the authors of the report conclude, “the result of this disproportionately low grant rate is that people fleeing persecution in their home countries are wrongly denied asylum and the protections afforded to them by international and U.S. law.”² We write to request that the Department of Homeland Security Office of Inspector General immediately open an investigation into the Boston Asylum Office to determine whether, and if so, why its grant rate is so low, and to take appropriate steps to ensure that the rights of those seeking asylum in the United States through the Boston Asylum Office are protected and enforced.

According to the report — *Lives in Limbo: How the Boston Asylum Office Fails Asylum Seekers* — from 2015 to 2020, the grant rate at the Boston Asylum office was 15.5 percent, the second lowest among the nation’s ten asylum offices, and almost half the national average grant rate of 28 percent.³ The detailed report, backed up by documentation obtained from U.S. Citizenship and Immigration Services through Freedom of Information Act litigation,⁴ found that the culture of distrust directed at asylum seekers was “exacerbated by internal pressures placed on asylum officers.”⁵ Specifically, the report found that:

- (1) High denial and referral rates are likely driven by the oversized role that supervisory asylum officers play within the Boston Asylum Office;

¹ *Lives in Limbo: How the Boston Asylum Office Fails Asylum Seekers* at 10, A Report by the Refugee and Human Rights Clinic at the University of Maine School of Law, Immigrant Legal Advocacy Project, American Civil Liberties Union of Maine, and Basileus Zeno, Ph.D Political Science at Amherst College (Mar. 2022), <https://www.documentcloud.org/documents/21474267-lives-in-limbo-how-the-boston-asylum-office-fails-asylum-seekers-final-2>.

² *Id.* at 2.

³ *Id.* at 1.

⁴ *Id.* at 8 & n.26.

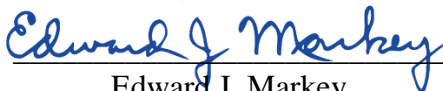
⁵ *Id.* at 3.

- (2) Supervisory asylum officers and asylum officers demonstrate bias that contributes to the low approval rates;
- (3) Asylum officers experience high levels of burnout and compassion fatigue, which leads to low approval rates;
- (4) Asylum officers face pressure from time constraints, which is exacerbated by the continually growing backlog of asylum cases;
- (5) Because of internal pressures, asylum officers cut corners when conducting their job responsibilities, which violates asylum seekers' due process rights; and
- (6) Rather than exploring the merits of the asylum seeker's claim, asylum officers put an improper amount of weight on the asylum seeker's credibility and focus on immaterial, peripheral details within their asylum case.⁶

The report establishes that the Boston Asylum Office is an “outlier” among the nation’s other asylum offices.⁷ But that makes the consequences of its low asylum grant rate no less concerning. As the report emphasizes, “[b]ecause persecution is at the core of asylum claims, denying legitimate claims without proper due process exposes asylum seekers to the very persecution from which they have fled.”⁸

We therefore urge you to open an investigation into the Boston Asylum Office’s low asylum grant rate and the reasons for it. If you have any questions regarding this request, please contact Senator Markey’s Chief Counsel Andrew Cohen at andrew_cohen@markey.senate.gov.

Sincerely,



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator



James P. McGovern
Member of Congress



Jake Auchincloss
Member of Congress

⁶ *Id.*

⁷ *Id.* at 4.

⁸ *Id.*



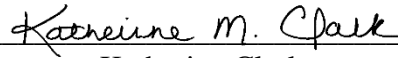
Chellie Pingree
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