

United States Senate

WASHINGTON, DC 20510

August 21, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave. NW
Washington, D.C. 20530

Dear Attorney General Barr:

We write to express our alarm and opposition to your decision in *Matter of L-E-A-*, which limits access to asylum for people fleeing persecution abroad because of their family ties. Your decision, and the many other actions taken by this Administration to undermine the asylum system, run counter to Congress's intent to provide protection to vulnerable people suffering persecution in their home country.

This decision disregards decades of legal precedent. For over 30 years, the Board of Immigration Appeals (BIA) and multiple federal circuit courts have acknowledged that a family group can be a "particular social group" as the basis of an asylum claim. This long-settled case law has allowed people who have been threatened or victimized because of their membership in a family to seek asylum in the United States.

In *Matter of L-E-A-*, the BIA applied that precedent to an asylum case brought by a man who was threatened by a criminal cartel in Mexico because his father refused to allow the cartel to sell drugs in the family's store. The BIA had "no difficulty identifying the respondent, a son residing in his father's home, as being a member of the particular social group comprised of his father's immediate family."¹ But in reviewing the BIA's decision, you used sweeping language throughout the opinion to overrule the BIA's conclusion and hold that family membership cannot be considered a particular social group unless it is recognized by society as socially distinct.²

Your decision will create greater risks and hardships for those who may be in most need of protection. Families who flee their homes in order to protect their children from persecution are often the most vulnerable. In addition, unaccompanied minors seeking asylum often rely on family-based claims.

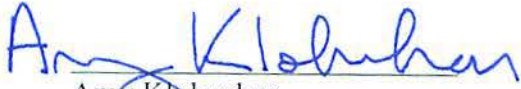
We urge you to rescind your decision in *Matter of L-E-A-* and preserve the critical protections for those who experience persecution based on their membership in a family.

¹ 27 I&N Dec. 40 (BIA 2017).

² 27 I&N Dec. 581 (A.G. 2019).

Thank you for your attention to this important matter.

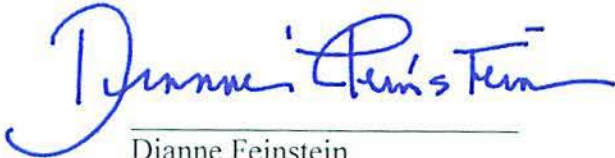
Sincerely,



Amy Klobuchar
United States Senator



Richard J. Durbin
United States Senator



Dianne Feinstein
United States Senator



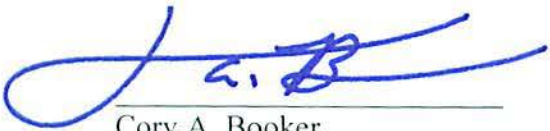
Sheldon Whitehouse
United States Senator



Richard Blumenthal
United States Senator



Mazie Hirono
United States Senator



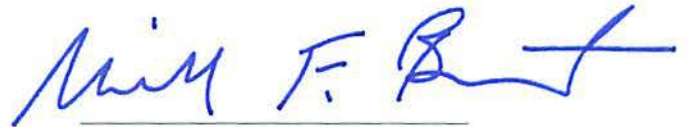
Cory A. Booker
United States Senator



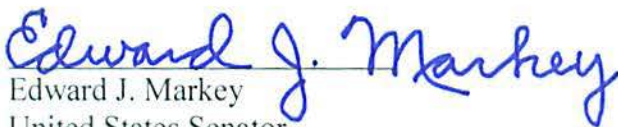
Kamala D. Harris
United States Senator



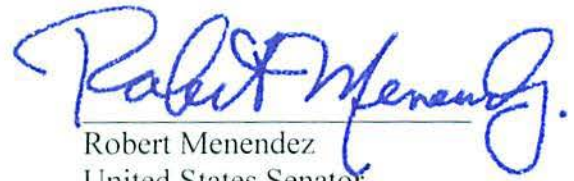
Kirsten Gillibrand
United States Senator



Michael F. Bennet
United States Senator



Edward J. Markey
United States Senator



Robert Menendez
United States Senator