



February 11, 2021

Chair Zoe Lofgren  
Committee on the Judiciary  
Subcommittee on Immigration and Citizenship  
Washington, DC 20515-6216

Ranking Member Ken Buck  
Committee on the Judiciary  
Subcommittee on Immigration and Citizenship  
Washington, DC 20515-6216

**Re: Hearing “The U.S. Immigration System: The Need for Bold Reforms”**

Dear Chair Lofgren & Ranking Member Buck:

On behalf of the Coalition for Humane Immigrant Rights (CHIRLA), the largest statewide immigrant rights organization in California, I submit this statement for the record for today’s hearing entitled “The U.S. Immigration System: The Need for Bold Reforms.” We define bold as legalizing the entire undocumented population including the deported and reforming the existing immigration system to ensure that family remains a core tenet. Below, we expand on those key provisions of bold reform.

**A Successful Legalization Program**

A legalization program must be inclusive, affordable, accessible and just. It is **inclusive** when it encompasses the entire population of the estimated 11 undocumented immigrants. It is **affordable** when no one is unable to participate because of any fees or penalties associated with legalization. It is **accessible** when

it is not subject to arbitrary deadlines and narrow application time frames. And it is **just** when no one is prohibited from applying because they have been criminalized or because they have been deported already. Finally, we believe it is essential that a bold immigration reform contains an update to the Immigration and Nationality Act's (INA) **Registry Date**.<sup>1</sup>

### **The INA's Registry Date (INA § 249; 8 USC 1259)**

The **Registry Date** operates as a statute of limitations on unlawful presence, and those who have been present since the set date are eligible to apply for a green card (legal permanent residency.) However, that date is currently set at January 1, 1972, which renders it nearly meaningless. Historically, the date has been set between 10-20 years from the most recent update. We recommend setting it at January 1, 2010 *and* including a mechanism so that it is continually updated to ensure that we do not wind up with a date, as is presently the case, that is set decades ago.

Below is a chart from a new Migration Policy Institute report that highlights the impact of adjusting the **Registry Date**.

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<sup>1</sup> <https://www.migrationpolicy.org/research/us-legalization-unauthorized-immigrant-groups>.



TABLE 5  
**Unauthorized Immigrants Potentially Eligible to Adjust Status under Updated Registry Dates of January 1, 2000-2010, as of 2018**

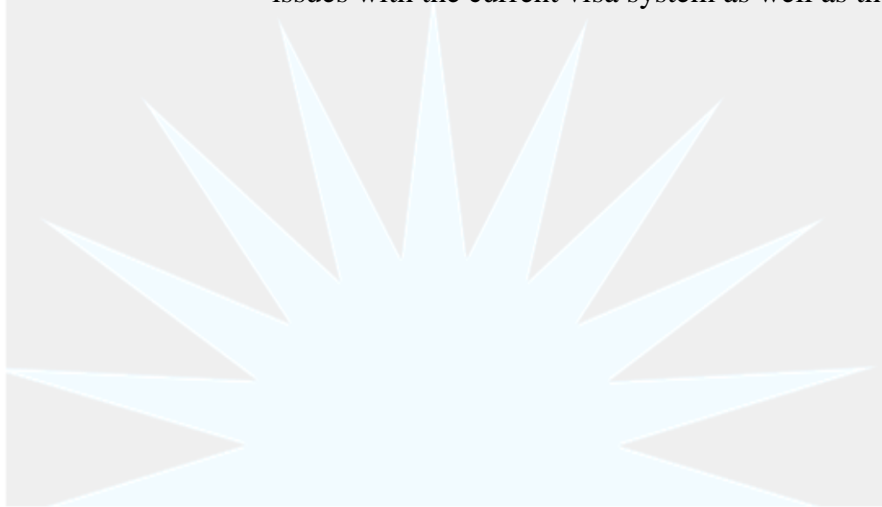
Registry Date	Eligible Population	Share of Unauthorized Population
2000	2,811,000	26%
2001	3,641,000	33%
2002	4,213,000	38%
2003	4,691,000	43%
2004	5,148,000	47%
2005	5,650,000	51%
2006	6,233,000	57%
2007	6,735,000	61%
2008	7,195,000	66%
2009	7,613,000	69%
2010	7,957,000	72%

Note: To calculate how many unauthorized immigrants would be eligible for each potential registry date, MPI looked at the year of immigration of each unauthorized immigrant in its five-year data file, and added up how many entered the United States before each registry date.  
Source: MPI analysis of U.S. Census Bureau data from pooled 2014-18 ACS, and 2008 SIPP, with legal-status assignments using a unique MPI methodology developed in consultation with Bachmeier and Van Hook.

SOURCE: “[Back on the Table: U.S. Legalization and the Unauthorized Immigrant Groups that Could Factor in the Debate](#),” Migration Policy Institute, February 2021.

### **Family Unity Must Remain the Cornerstone of our Immigration System**

CHIRLA is a Steering Committee member of the [Value Our Families](#) campaign and we wholeheartedly endorse its submitted statement for this hearing. Bold immigration reform must reaffirm the centrality of family unity by addressing the issues with the current visa system as well as the INA’s built-in obstacles to





family reunification. In particular, this entails addressing the current backlogs and per-country caps that see some relatives of U.S. citizens wait for decades to enter the United States. Others are already present, but they are unable to adjust their status due to the 3 and 10 year bars that would separate them from their families should they pursue an available visa at a U.S. consulate or embassy.

The INA must also be updated to reflect a modern definition of what constitutes a family to include e.g. grandparents and aunt & uncles. Finally, executive power to enact barriers like the Muslim and Africa bans must be eliminated, and wealth test provisions such as “public charge” must be struck from the INA in order to prevent a repeat of the abuses we saw under the previous Administration.

Thank you for considering CHIRLA’s statement. Please contact me at [cbergquist@chirla.org](mailto:cbergquist@chirla.org) should you have any questions.

Sincerely,

Carl Bergquist  
Policy Counsel  
Coalition for Humane Immigrant Rights (CHIRLA)

