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January 7th, 2022

The Honorable Joseph R. Biden, Jr.
President of the United States
1600 Pennsylvania Ave NW
Washington, D.C. 20500

The Honorable Kamala Harris
Vice President of the United States
1600 Pennsylvania Ave NW
Washington, D.C. 20500

The Honorable Chuck Schumer
Majority Leader
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20515

The Honorable Nancy Pelosi
Speaker of the House of Representatives
United States House of Representatives
U.S. Capitol
Washington, D.C. 20515

RE: Disregard Parliamentarian for an Update to the Registry in BBB.

Dear President Biden, Vice President Harris, Majority Leader Schumer, and Speaker Pelosi:

As leaders from across the state of California serving in elected office, ***we respectfully urge you, Administration and Leadership, to ensure that permanent residency- a path to citizenship- is reinserted into the Build Back Better Act (BBB) through a registry update.*** We are uplifting the interests of over 2 million undocumented immigrants in California, a state where nearly 1 in 10 workers is undocumented and where immigrants are estimated to pay over \$3 billion in state and local taxes annually.^{1,2} As the Congressional Hispanic Caucus and the House Joint Economic Committee [clearly explained in their April 2021 report](#), the impact of immigrants on the budget and the economy is massive. ***It is impossible to plan for economic recovery and legislate to address racial inequities without including immigrants.***

We are cognizant of the ongoing discussions between the White House and the Senate aimed at securing 50 Senate votes for any final package. **Irrespective of the latest news cycle, our**

¹ California Budget & Policy Center.

<https://calbudgetcenter.org/resources/undocumented-californians-significantly-contribute-to-state-local-revenue/>

² Public Policy Institute of California.

<https://www.ppic.org/publication/undocumented-immigrants-in-california/>

HEADQUARTERS

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position remains clear and steadfast: the inclusion of permanent protections for immigrants across the nation is a moral, economic and political imperative. This has never been more important as we face the challenges of true recovery from the ravages of the COVID-19 pandemic.

Through the COVID-19 pandemic, 74% of undocumented workers (compared to 65% of native born workers) have been employed in essential critical infrastructure industries from farming and food, to construction and healthcare.³ During this time of crisis, undocumented workers (97% of whom are people of color) have risked their lives to support their families and our nation, facing higher risk of COVID infection and death; all the while having limited access to healthcare and recovery safety nets and living in fear of deportation.⁴ It's time for Congress and the Administration to honor their sacrifices, contributions, and dreams and deliver green cards. We stand in solidarity with immigrants who want to be recognized as permanent– not temporary– Americans.

As written into [the draft of the BBB bill, H.R. 5376](#), before being amended, and as explained by the House Judiciary Committee, updating the registry is the simplest manner to achieve a path to citizenship using existing law. An update of the Immigration and Nationality Act's Registry date– moving it from 1972 to 2010, would benefit approximately 62% of the 11 million undocumented immigrants who have lived in the United States for ten years or longer including 1.6 million DREAMers, 360,000 TPS recipients, 3.6 million essential workers, and 1 million farm workers– as well as over 70% of California's undocumented immigrants.⁵ **Simply put, this would allow anyone present before January 1, 2010 to apply for a green card under what is effectively the “statute of limitations” in immigration law.**⁶

³ Center for Migration Studies. <https://cmsny.org/publications/us-essential-workers/>

⁴ Kaiser Family Foundation. <https://www.kff.org/report-section/kff-the-undefeated-survey-on-race-and-health-main-findings/#HealthCareSystem>

⁵ Migration Policy Institute; <https://www.migrationpolicy.org/data/authorized-immigrant-population/state/US>

⁶ Please see CHIRLA's explainer, <https://drive.google.com/file/d/12w6nKOUGMnfTMbjRq8R2fyZvzNEnvd8y/view?usp=sharing>. As well as the one from the House Judiciary Committee. https://judiciary.house.gov/uploadedfiles/immigration_bbb.pdf.





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Provisions that included a registry update were removed from the House bill language on November 3rd, which would have granted up to 8 million undocumented immigrants a pathway to citizenship. Although the most recent draft of BBB includes temporary protections, these leave many in our communities vulnerable. It is not the much-needed permanent solution millions of immigrants have already waited over 35 years for. In a recent poll of 1,314 immigrants who are members of the Coalition for Humane Immigrant Rights (CHIRLA), an overwhelming 87% stated they prefer a path to citizenship to temporary parole in place.⁷ **We demand the registry update is reinserted into the bill for one simple reason: permanent protections are what the undocumented community wants and deserves.**

We are aware of the Senate Parliamentarian's negative advisory opinions on proposed immigration provisions. The Parliamentarian's advice against including green cards - or seemingly any relief at all - in reconciliation is just that-- advice. As 92 law professors recently explained in a public letter, "for the Senate to reach its own conclusion [...] should not be seen as an 'overruling' of anyone. Rather, it would recognize that elected members of Congress are ultimately responsible for deciding whether to enact legislation." The Presiding Officer of the Senate - Vice President Harris, in her constitutional role as President of the Senate or Senate President Pro Tempore Leahy or his designee can conclude that the inclusion of green cards in reconciliation is allowed under Senate rules. To be clear, the parliamentarian works for elected officials, not the other way around.⁸

You have a responsibility to deliver on your promises to our constituents and community members. In 2020, thousands of our community members-- *documented AND undocumented*, worked to turn out voters in key battleground states and we now demand that our country and government deliver on the promises made to voters to embrace immigrants and their humanity through a pathway to citizenship. This is a crucial moment, where millions of immigrants living in the United States are relying on your leadership to take a major step towards reforming our broken immigration system.

We-- as the undersigned elected leaders representing impacted constituents across the state of California-- have worked tirelessly at the state and local levels to support and drive equity for Black, Brown and AAPI immigrant communities who bear the brunt of economic, social, and health

⁷ CHIRLA.

<https://www.chirla.org/news-category/most-impacted-by-immigration-legislation-say-path-to-citizenship-is-what-they-need-and-deserve/>

⁸

<https://thehill.com/homenews/senate/586381-democrats-mull-hardball-tactics-to-leapfrog-parliamentarian-on-immigration>; <https://www.disregardneparl.org/>.





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inequities. With Democratic control of the White House, Senate, and House of Representatives, we now have the unique opportunity to deliver on a policy that over 70% of Americans strongly support⁹ – an opportunity that Democrats cannot allow an unelected Parliamentarian to derail.

You, through your constitutional role as the President, and Presiding Officer, and Leaders of Congress and the Senate, have the power and responsibility to clear the path for registry to be successfully reinserted in Build Back Better. We expect nothing less than a pathway to citizenship in BBB.

Sincerely,

1. Senator Maria Elena Durazo (State Senate District 24, CA)
2. Assembly Speaker Anthony Rendon (Assembly District 63, CA)
3. Assembly Majority Leader Eloise Gómez Reyes (Assembly District 47, CA)
4. Assemblymember Marc Levine (Assembly District 10, CA)
5. Assemblymember Mia Bonta (Assembly District 18, CA)
6. Assemblymember Mark Stone (Assembly District 29, CA)
7. Assemblymember Robert Rivas (Assembly District 30, CA)
8. Assemblymember Dr. Joaquin Arambula, (Assembly District 31, CA)
9. Assemblywoman Luz Rivas (Assembly District 39, CA)
10. Assemblymember Adrin Nazarian (Assembly District 46, CA)

⁹ America's Voice.

https://americasvoice.org/press_releases/new-poll-by-70-24-americans-support-a-path-to-citizenship-for-dreamers-tps-holders-farm-workers-and-essential-workers/



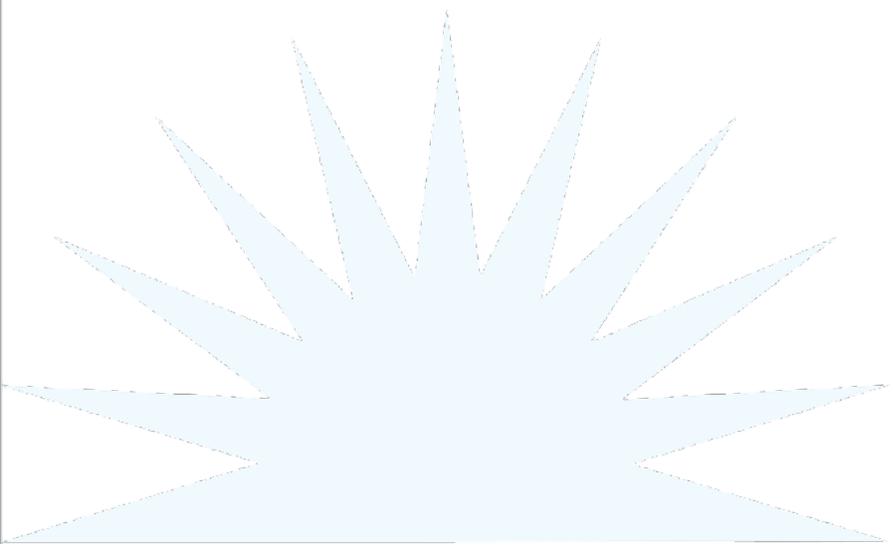


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11. Assemblywoman Wendy Carrillo (Assembly District 51, CA)
12. Assemblymember Miguel Santiago (Assembly District 53, CA)
13. Assemblymember Isaac Bryan (Assembly District 54, CA)
14. Assemblywoman Lisa Calderon (Assembly District 57, CA)
15. Assemblymember Cristina Garcia (Assembly District 58, CA)
16. Assemblymember Jose Medina (Assembly District 61, CA)
17. Assemblywoman Sharon Quirk-Silva, (Assembly District 65, CA)
18. Assemblymember Patrick O'Donnell (Assembly District 70, CA)
19. Vice-Chair Nora Vargas, San Diego County Board of Supervisors (San Diego County, CA)
20. Supervisor Sheila Kuehl, Los Angeles County Board of Supervisors (3rd District)
21. Supervisor Janice Hahn, Los Angeles County Board of Supervisors (4th District)
22. Supervisor Luis A. Alejo, Monterey County Board of Supervisors (1st District)
23. Supervisor Joe Baca, Jr., San Bernardino County Board of Supervisors (5th District)
24. Supervisor Angel Barajas, Yolo County Board of Supervisors (5th District)
25. Supervisor Raymond Castillo, Imperial County Board of Supervisors (5th District)
26. Supervisor Leticia Gonzalez, Madera County Board of Supervisors (4th District)
27. Supervisor Debra Lucero, Butte County Board of Supervisors (2nd District)
28. Supervisor Carmen Ramirez, Ventura County Board of Supervisors (5th District)
29. Supervisor Ed Valenzuela, Siskiyou County Board of Supervisors (2nd District)



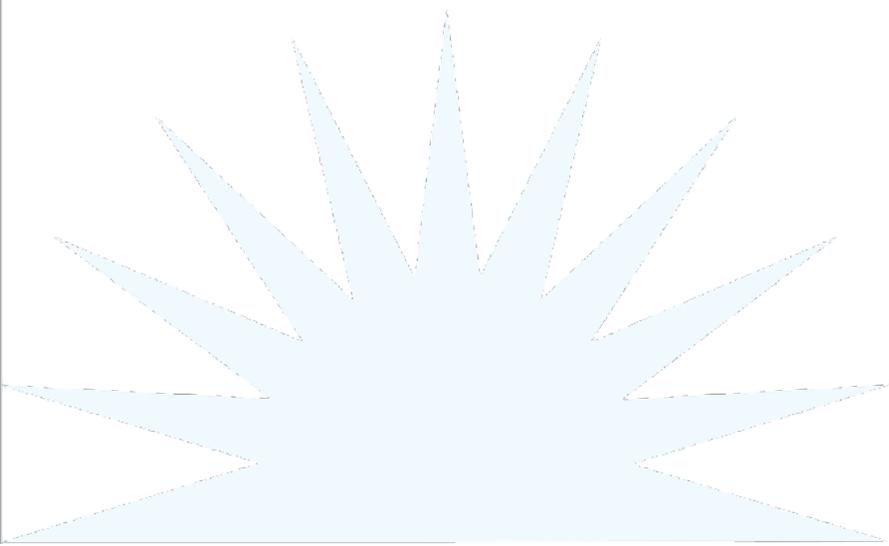


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30. Mayor Robert Garcia, City of Long Beach (Long Beach, CA)
31. Councilmember Gil Cedillo, City of Los Angeles (Council District 1)
32. Councilmember Bob Blumenfield, City of Los Angeles (Council District 3)
33. Councilmember Nithya Raman, City of Los Angeles (Council District 4)
34. Councilmember Marqueece Harris-Dawson, City of Los Angeles (Council District 8)
35. Councilmember Curren D. Price, Jr., City of Los Angeles (Council District 9)
36. Councilmember Mike Bonin, City of Los Angeles (Council District 11)
37. Councilmember Kevin de León,, City of Los Angeles (Council District 14)
38. Councilmember Joe Buscaino, City of Los Angeles (Council District 15)
39. Councilmember Daniel Damian, City of Baldwin Park (Baldwin Park, CA)
40. Councilmember Salvador Melendez, City of Montebello (Montebello, CA)
41. Board President Kelly Gonez, Los Angeles Unified School District (Board District 6)
42. Board Vice-President Nick Melvoin, Los Angeles Unified School District (Board District 4)
43. Board Member Mónica García, Los Angeles Unified School District (Board District 2)
44. Board Member Scott M. Schmerelson, Los Angeles Unified School District (Board District 3)
45. Board Member Tanya Ortiz Franklin, Los Angeles Unified School District (Board District 7)
46. Board President Jeffrey De La Torre, Hacienda La Puente Unified School District (Trustee Area 5)





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CC:

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Washington, DC 20510

The Honorable Alex Padilla
112 Hart Senate Office Building
Washington, DC 20510

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