

Congress of the United States
Washington, DC 20515

November 22, 2021

The Honorable Chuck Schumer
Majority Leader
United States Senate
U.S. Capitol
Washington, D.C. 20510

The Honorable Patrick Leahy
President Pro Tempore
United States Senate
U.S. Capitol
Washington, D.C. 20510

The Honorable Dick Durbin
Chair
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Bldg.
Washington, D.C. 20510

Dear Leader Schumer, Senator Leahy, and Chair Durbin,

Last Friday, the House passed the Build Back Better (BBB) Act, a historic piece of legislation that contains promises made and promises kept for millions of Americans across the country.

And yet, another promise three *decades* in the making still hangs in the balance. The House version of the BBB Act limits relief for certain undocumented individuals to a five-year parole status, yet another form of temporary reprieve. We now write to urge you and the rest of our colleagues in the Senate to reinstate a pathway to citizenship for Dreamers, TPS holders, farm workers, and essential workers in the Senate’s version of the reconciliation bill.¹ The reconciliation bill is an especially suitable vehicle for providing this relief. One need look no further than previous CBO scores for the same proposal to know that providing a pathway to citizenship would have a massive budgetary impact.²

Under the Constitution, Congress alone holds the power to determine who can become a citizen, and under what conditions.³ So when Congress promises “immigration reform,” as it has done throughout the negotiation process, our party must fully deliver on that promise. For decades, immigrants have sought relief from the precarity of jumping from one temporary status to another in the only country they can call home. Another temporary status would merely extend this precarity.

¹ The initial House version of the Build Back Better Act included an advance to the registry date to January 1, 2010. Estimates indicate 1.6 million Dreamers, 360,000 holders of Temporary Protected Status, and 3.6 million essential workers (including 1 million farm workers) would be able to apply for green cards under this provision. See HOUSE COMMITTEE ON THE JUDICIARY, IMMIGRATION PROVISIONS – BUILD BACK BETTER ACT (2021), https://judiciary.house.gov/uploadedfiles/immigration_bbb.pdf.

² See, e.g., CONGRESSIONAL BUDGET OFFICE, COST ESTIMATE OF S. 744: BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT (2013), https://www.cbo.gov/system/files/113th-congress-2013-2014/costestimate/s744_0.pdf; CONGRESSIONAL BUDGET OFFICE, COST ESTIMATE OF H.R. 6, THE AMERICAN DREAM AND PROMISE ACT (2021), <https://www.cbo.gov/system/files/2021-03/hr0006.pdf>; see also Daniel Costa, *Immigration Reform Would Be a Boon to U.S. Economy and Must Be Part of the \$3.5 Trillion Budget Resolution*, ECON. POLICY INST. (Sept. 15, 2021, 10:19 AM), <https://www.epi.org/blog/immigration-reform-would-be-a-boon-to-u-s-economy-and-must-be-part-of-the-3-5-trillion-budget-resolution-senate-parliamentarian-would-be-wrong-to-rule-otherwise>.

³ U.S. CONST. art I § 8, cl. 4.

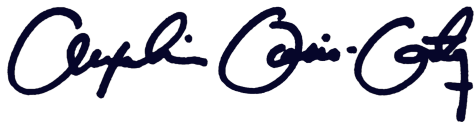
Congress of the United States
Washington, DC 20515

Whether we keep our promise or not is a question of political will. We do understand that the Senate Parliamentarian has issued a memorandum dismissing – despite evidence to the contrary – the budgetary impact of providing a pathway to citizenship. But the role of the Parliamentarian is an advisory one, and the Parliamentarian’s opinion is not binding. As we laid out in our letter to you on October 21, 2021, both federal law⁴ and Senate precedent provide that the Senate’s Presiding Officer can issue a different binding ruling on such a parliamentary point of order. We cannot let an unelected advisor determine which promises we fulfill and which we do not, especially when the vast majority of Americans – in both parties – want us to provide a pathway to citizenship.⁵

The moment is now. We urge you to reinstate a pathway to citizenship for Dreamers, TPS holders, farm workers, and essential workers in the Senate’s version of the reconciliation bill.

Thank you for your attention to this letter, and your commitment to honoring the tributes that millions of undocumented individuals have paid to this country.

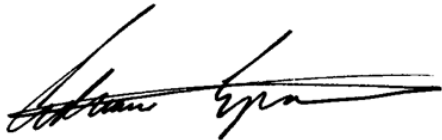
Sincerely,



Alexandria Ocasio-Cortez
MEMBER OF CONGRESS




J. Luis Correa
MEMBER OF CONGRESS



Adriano Espaillat
MEMBER OF CONGRESS



Jesús G. “Chuy” García
MEMBER OF CONGRESS



Grace Meng
MEMBER OF CONGRESS

⁴ 2 U.S.C. § 644.

⁵ Evangel Penumaka, *Voters Across Parties Support a Path to Citizenship*, DATA FOR PROGRESS (June 14, 2021), <https://www.dataforprogress.org/blog/2021/6/14/voters-support-path-to-citizenship>.

Congress of the United States
Washington, DC 20515



Gerald E. Connolly
MEMBER OF CONGRESS



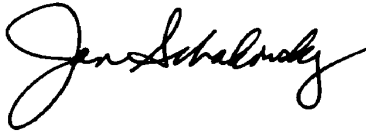
Bonnie Watson Coleman
MEMBER OF CONGRESS



Grace F. Napolitano
MEMBER OF CONGRESS



Alan Lowenthal
MEMBER OF CONGRESS



Jan Schakowsky
MEMBER OF CONGRESS



Karen Bass
MEMBER OF CONGRESS




Mondaire Jones
MEMBER OF CONGRESS



Jamaal Bowman, Ed.D.
MEMBER OF CONGRESS



Earl Blumenauer
MEMBER OF CONGRESS



Raúl M. Grijalva
MEMBER OF CONGRESS



Carolyn B. Maloney
MEMBER OF CONGRESS



James P. McGovern
MEMBER OF CONGRESS



Lucille Roybal-Allard
MEMBER OF CONGRESS



Thomas R. Suozzi
MEMBER OF CONGRESS

Congress of the United States
Washington, DC 20515



Rashida Tlaib
MEMBER OF CONGRESS



Mark Pocan
MEMBER OF CONGRESS



Ted W. Lieu
MEMBER OF CONGRESS



Dina Titus
MEMBER OF CONGRESS



Mike Quigley
MEMBER OF CONGRESS



Andy Levin
MEMBER OF CONGRESS



M.C.

Ayanna Pressley
MEMBER OF CONGRESS



Jamie Raskin
MEMBER OF CONGRESS



Barbara Lee
MEMBER OF CONGRESS



Joaquin Castro
MEMBER OF CONGRESS



Adam Smith
MEMBER OF CONGRESS



Veronica Escobar
MEMBER OF CONGRESS



Henry C. "Hank" Johnson, Jr.
MEMBER OF CONGRESS



Marie Newman
MEMBER OF CONGRESS

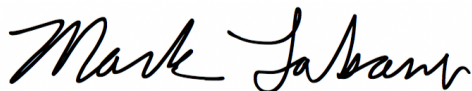
Congress of the United States
Washington, DC 20515



Ritchie Torres
MEMBER OF CONGRESS



Juan Vargas
MEMBER OF CONGRESS



Mark Takano
MEMBER OF CONGRESS



Darren Soto
MEMBER OF CONGRESS



Jason Crow
MEMBER OF CONGRESS



Rick Larsen
MEMBER OF CONGRESS



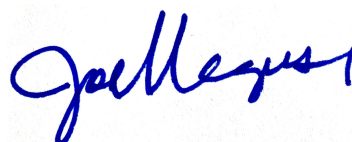
Sheila Jackson Lee
MEMBER OF CONGRESS



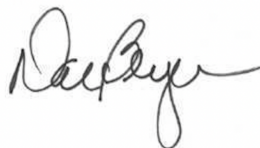
Eleanor Holmes Norton
MEMBER OF CONGRESS



Jimmy Gomez
MEMBER OF CONGRESS



Joe Neguse
MEMBER OF CONGRESS



Donald S. Beyer, Jr.
MEMBER OF CONGRESS



Dwight Evans
MEMBER OF CONGRESS



Pramila Jayapal
MEMBER OF CONGRESS



Danny K. Davis
MEMBER OF CONGRESS

Congress of the United States
Washington, DC 20515



Chellie Pingree
MEMBER OF CONGRESS



Nanette Diaz Barragán
MEMBER OF CONGRESS



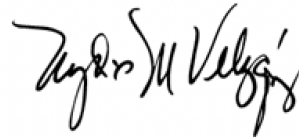
Sylvia R. Garcia
MEMBER OF CONGRESS



Jake Auchincloss
MEMBER OF CONGRESS



Tony Cárdenas
MEMBER OF CONGRESS



Nydia M. Velázquez
MEMBER OF CONGRESS



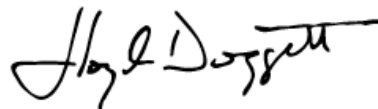
Ruben Gallego
MEMBER OF CONGRESS



Brendan F. Boyle
MEMBER OF CONGRESS



Bobby L. Rush
MEMBER OF CONGRESS



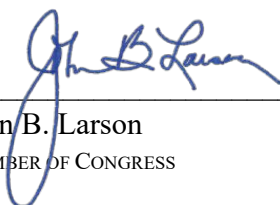
Lloyd Doggett
MEMBER OF CONGRESS



Henry Cuellar
MEMBER OF CONGRESS



Bradley S. Schneider
MEMBER OF CONGRESS



John B. Larson
MEMBER OF CONGRESS



Ro Khanna
MEMBER OF CONGRESS

Congress of the United States
Washington, DC 20515



Jimmy Panetta
MEMBER OF CONGRESS



Brenda L. Lawrence
MEMBER OF CONGRESS



Jim Costa
MEMBER OF CONGRESS



Steven Horsford
MEMBER OF CONGRESS



Al Green
MEMBER OF CONGRESS



Donald M. Payne, Jr.
MEMBER OF CONGRESS



Lori Trahan
MEMBER OF CONGRESS



Cori Bush
MEMBER OF CONGRESS



Mike Thompson
MEMBER OF CONGRESS



Judy Chu
MEMBER OF CONGRESS




Diana DeGette
MEMBER OF CONGRESS



David N. Cicilline
MEMBER OF CONGRESS



Frederica Wilson
MEMBER OF CONGRESS



Linda Sanchez
MEMBER OF CONGRESS

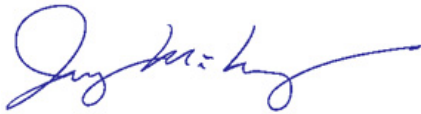
Congress of the United States
Washington, DC 20515



Vincente Gonzalez
MEMBER OF CONGRESS



Yvette D. Clarke
MEMBER OF CONGRESS



Jerry McNerney
MEMBER OF CONGRESS



Ann Kirkpatrick
MEMBER OF CONGRESS



Gregory W. Meeks
MEMBER OF CONGRESS



Michael G.Q. San Nicolas
MEMBER OF CONGRESS



Norma Torres
MEMBER OF CONGRESS



Raul Ruiz
MEMBER OF CONGRESS



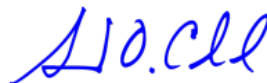
Albio Sires
MEMBER OF CONGRESS



Bill Foster
MEMBER OF CONGRESS



Zoe Lofgren
MEMBER OF CONGRESS



Salud Carbajal
MEMBER OF CONGRESS



Jerrold N. Nadler
MEMBER OF CONGRESS



Mark DeSaulnier
MEMBER OF CONGRESS

Congress of the United States
Washington, DC 20515



Mary Gay Scanlon
MEMBER OF CONGRESS



Pete Aguilar
MEMBER OF CONGRESS