



Chairman Nadler Statement for Subcommittee Hearing on "'Why Don't They Just Get in Line?' Barriers to Legal Immigration"

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Washington, D.C. - Today, House Judiciary Committee Chairman Jerrold Nadler (D-NY) delivered the following opening remarks during a Subcommittee on Immigration and Citizenship hearing entitled "'Why Don't They Just Get in Line?' Barriers to Legal Immigration:"

"Madame Chair, with today's hearing, we explore an aspect of our immigration system that is of great importance to millions of U.S. citizens and aspiring Americans: barriers to legal immigration.

"It is important to remember that the immigration debate in this country does not start and stop at the southern border. We won't fix the system if we simply pump more money into border security or an ineffective wall. To truly fix the system we must update the legal immigration framework and restore discretion—to forge pathways to permanent residence and meet the needs of our country today.

"Currently, more than one million individuals are stuck in the employment-based immigrant visa backlog and nearly four million are waiting for a family-based visa. These backlogs exist—and have grown longer each year—because our legal immigration system has been frozen in time since 1990.

"The impact of these long wait times can be devastating, particularly for those from high demand countries who wait the longest. For example, today it takes nearly 25 years for certain family-based immigrants to receive a visa. That's a quarter of a century that many families must endure while separated from their loved ones.

"Many employment-based immigrants must wait well over a decade to reach the front of the immigrant visa line. Although most of these individuals live and work in the United States on temporary visas during that time, life-changing events can have serious consequences.

"For example, if the principal immigrant dies before a visa becomes available—a risk that has become all too real during the COVID-19 pandemic—the family members will lose their temporary status and be forced to leave the United States. Similarly, children who turn 21 before reaching the front of the green card line, 'age out' of eligibility for dependent status and must find a way to qualify for status on their own.

"Our immigration laws are also particularly harsh for thousands of U.S. citizens whose spouses and children are virtually shut out of the system with no means of obtaining lawful status because of provisions that restrict or provide no discretionary waivers of inadmissibility or deportability and that provide arcane bars for 'unlawful presence.'

"Because of policies like these, far too many families have been needlessly and cruelly separated for years. For example, my constituent, Dr. Kevin Kells, has lived apart from his wife for over 15 years. In 1998, before they met, Dr. Kells' wife traveled to the United States to attend a high school graduation party.

"She did not speak English, but the driver of her car told the border officer that she was born in the United States. Her record now shows that she made a false claim to U.S. citizenship and she is permanently barred from the United States.

"For Dr. Kells and his wife, there is no line to obtain a green card or lawful status. Nor are there options for many others, given the limited discretion of immigration judges and officers to waive the consequences of past acts—even those that were based on honest mistakes made decades ago.

"I look forward to hearing from our witnesses today on the impacts of the outdated immigration system and the reforms that are needed to ensure the system works for—not against—American families and businesses.

"I thank the Chair, Ms. Lofgren, for her leadership on this issue, and for holding this important hearing. I yield back the balance of my time."

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