

Unfreeze the Law

An Open Letter on the Immigration Registry

To the Congress of the United States — and to every American who still believes that our laws should reflect both wisdom and justice.

Right now, federal law contains a pathway to lawful permanent residence that almost no living applicant can use.

To qualify under the existing registry date, a person generally must have entered the United States before January 1, 1972 — more than half a century ago.

The law still exists. The standard still exists. The meaningful opportunity to be evaluated has nearly disappeared.

A Nation Cannot Ask People to Honor a Standard It Refuses to Maintain

There are moments in the life of a nation when we must stop asking only, “What is politically possible?” and begin asking, “What is right — and what will actually work?”

For nearly a century, American law has recognized that time and sustained conduct can matter when determining a person’s lawful standing.

Yet today, people who have lived in this country for years — sometimes decades — may have no realistic process through which the government can examine the complete record of their lives.

An immigration violation may have occurred. A visa may have expired. A person may have entered without authorization. Those facts should not be denied or erased.

The question is whether that one part of a person’s history should forever prevent the law from examining everything that followed:

Time. Conduct. Responsibility. Good moral character. A record free of serious or disqualifying conduct. Contribution.

They are not asking Congress to pretend the law was never violated.

They are asking Congress to establish a lawful process through which their entire record can be examined.

Too many people encounter an immigration system in which no realistic remedy exists for their circumstances. They collect documents, spend their savings, seek legal advice, and search for a lawful door that Congress has not provided.

The problem is not that every person standing at that door deserves to pass through it.

The problem is that the law often provides no door through which the government can evaluate them at all.

America Has Walked This Path Before

This idea is not new.

It is not the creation of one party.

It is not the invention of one generation.

Throughout our history, America has repeatedly faced the question of whether our laws would keep pace with reality.

Under five presidents — Calvin Coolidge, Franklin Roosevelt, Dwight Eisenhower, Lyndon Johnson, and Ronald Reagan — Congress created or advanced the immigration registry.

Those presidents came from different parties and represented different visions of America.

Yet across those administrations, Congress repeatedly recognized the same practical truth:

A law created to recognize long-established reality cannot remain permanently disconnected from reality.

The Forgotten Promise of the Registry

The immigration registry, Section 249 of the Immigration and Nationality Act, was built on a simple but disciplined principle.

After a person has resided continuously in this country for a substantial period, the government should be able to examine the person's entire record and determine whether lawful permanent residence is warranted.

Existing registry law does not provide automatic status. It requires an individual application and a discretionary decision. It examines continuous residence, good moral character, eligibility for citizenship, admissibility, and serious criminal and national-security concerns.

Work history, tax compliance, family responsibility, and contribution to a community do not replace those legal requirements. They may help demonstrate the life and conduct established during that time.

This is not about abandoning the rule of law.

It is about making the rule of law capable of reaching a decision.

The Year the Law Stopped

The history of the registry shows that Congress expected its eligibility date to be updated as time and circumstances changed.

Congress advanced the registry date four times.

The last update came in 1986, when the cutoff was moved to January 1, 1972.

The provision was not repealed. It still exists. But Congress stopped updating it — and a working part of American law has sat frozen in place ever since, while the country it was written to serve moved on without it.

Senator Alex Padilla and Representative Zoe Lofgren have introduced legislation that would replace the frozen 1972 cutoff with a rolling requirement of at least seven years of continuous residence before an application is filed.

That proposal gives Congress a practical starting point — not the only possible design. Congress could enact the seven-year standard as written, amend it, or establish graduated thresholds under which five, ten, fifteen, or twenty years of documented continuous residence carry increasing weight in the government's discretionary review. The longer the record, the more evidence the government can examine — conduct, family responsibility, tax compliance where applicable, community ties, and the absence of disqualifying behavior — without eliminating background checks, statutory exclusions, or individual adjudication.

That approach would eliminate the need for Congress to reopen the same question every generation.

The answer is not to pretend the challenge does not exist.

The answer is to modernize the registry.

Replace a frozen date with a defined, moving standard.

Restore the process.

Restore the belief that conduct over time matters.

What Reform Must Require

The strongest objection is obvious: Would modernizing the registry reward unlawful conduct? It should not. A modern registry must be a process for evaluation — not a guarantee of approval.

Whether Congress adopts a single seven-year threshold or a graduated framework, satisfying a residence period should only make a person eligible to apply. It should not automatically confer lawful permanent residence.

Every applicant should bear the burden of proving continuous residence through reliable documentation and should undergo an individual background check and adjudication.

The law should require good moral character and should preserve firm exclusions for serious or disqualifying criminal conduct, national-security threats, participation in persecution, immigration fraud in the application, and other grounds Congress determines make a person ineligible.

The government should retain discretion to examine the complete record, including the nature of any immigration violation, the applicant's conduct since that violation, employment and tax history where applicable, family responsibilities, and contribution to the community.

Those who satisfy the standard should be permitted to earn lawful permanent residence.

Those who do not satisfy it should not receive relief under the registry.

The First Step Toward a Better Future

Let us be clear.

Modernizing the registry will not solve every immigration challenge facing America.

It will not resolve asylum backlogs, eliminate every legal immigration delay, or answer every question about borders and labor.

But meaningful reform does not have to solve every problem at once.

This law has sat frozen for too long. It is the one piece that can be unfrozen today. Unfreeze it, and the rest becomes possible.

A Call to Leadership

For those who believe in order, accountability, and the rule of law, this is not a retreat.

Strength is not found in allowing problems to remain unsolved.

Strength is found in having the courage to create a lawful standard, enforce it consistently, and accept that individual cases will reach different outcomes.

Congress can preserve a problem, or it can solve a defined piece of it.

The Ask

Congress does not need to invent an entirely new immigration system. It needs to repair a lawful process that already exists: amend Section 249 of the Immigration and Nationality Act.

Replace the fixed January 1, 1972 cutoff with a rolling requirement of at least seven years of continuous residence immediately preceding an application — or establish a graduated framework that gives increasing legal weight to longer periods of documented continuous residence.

Permit qualifying applicants to seek lawful permanent residence through individual adjudication, documented residence, background checks, good-moral-character requirements, government discretion, and firm criminal, fraud, and national-security exclusions.

Make eligibility an opportunity to apply — not a promise of approval.

Complete the work Congress began nearly a century ago.

Unfreeze the date.

And let America move forward — not by forgetting its laws, but by making those laws capable of deciding.

Three Circumstances the Law Should Be Able to Evaluate

Laws are written in statutes, but their consequences are lived by people.

The circumstances below do not establish entitlement to lawful status. They illustrate why a clear legal standard and individual adjudication are better than a system with no answer.

Appendix A — The Child Who Never Chose

A child brought to America did not choose the circumstances of arrival.

Decades later, that same person may have lived an entire remembered life here.

The person may have gone to school here, worked here, paid taxes, raised a family, and maintained a record of responsibility.

Childhood arrival would not guarantee approval. It would be one circumstance considered alongside continuous residence, conduct, good moral character, and every other statutory requirement.

The question is not whether the past should be ignored.

The question is whether the law should have a process to examine the life that followed.

A registry does not reward a story.

It creates a standard.

Appendix B — The Visa That Lapsed

Some people entered America legally.

They had permission to be here. Then something changed.

A deadline was missed. A visa expired. Paperwork failed. Advice was wrong.

The original violation is not erased. It becomes one part of the complete record the government must evaluate.

Responsibility can also be demonstrated through later conduct: maintaining good moral character, avoiding disqualifying conduct, supporting a family, working where authorized, meeting tax obligations where applicable, and contributing to a community.

The question is whether the law should be able to examine decades of conduct and responsibility — not only one moment in time.

Appendix C — The Family Searching for a Door

Some families spend years trying to find a legal solution.

They collect documents. They seek advice. They spend money hoping there is a path.

Sometimes the problem is not that they refused to seek a lawful solution.

The problem is that the existing system provides no realistic mechanism for evaluating certain long-term circumstances.

Lawyers can advise only within the remedies Congress has enacted. No attorney can create a lawful pathway that the statute does not provide.

A modern registry would not promise that every family could remain. It would provide a defined process through which the government could examine the evidence and reach a lawful decision.

A Law Capable of Deciding

These circumstances are not arguments for ignoring the law.

They are arguments for making the law capable of deciding.

Set a standard.

Examine the facts.

Allow those who qualify to earn lawful permanent residence.

Allow those who do not qualify to face the consequences provided by law.

A lawful nation is not defined by whether every case reaches the same outcome. It is defined by whether every case can be judged by a fair and consistent standard.

That is not abandoning the rule of law.

That is restoring it.

If You Believe the Law Should Be Capable of Deciding

Add your name in support of modernizing the immigration registry.

This letter and the names of those who stand behind it will be presented to members of Congress as evidence that Americans are ready for a lawful standard, individual review, and a decision.

Visit unfreezeimmigration.org/act or scan the QR code to add your name and contact your representatives.



Then send this letter to your United States representative and senators with one direct request: modernize Section 249 and unfreeze the date.

One law. One standard. One lawful decision at a time.

David Alexander