



## **An immigration reform proposal nativists concede is not amnesty**

By Elliot Fladen

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According to Alex Nowrahsteh of the libertarian CATO Institute, bipartisan immigration reform of the infamous 3/10-year bar may still be passable this year. As described in the linked article, the 3/10-year bar:

requires that any immigrant who stays in the United States illegally for more than six months but less than one year may not leave and reenter for three years. Any immigrant who illegally stays for more than a year may not leave and reenter for 10 years. Also known as the 3/10-year bar, any immigrant who violates it triggers a twenty-year ban from reentering the United States – for any reason. Some unauthorized immigrants, mainly the spouses and parents of U.S. citizens, can currently apply for a green card. However, they can only do it after leaving the country. Since most unauthorized immigrants have been here for more than a decade and leaving would make the 3/10-year bar apply to them, this legislative catch-22 prevents current law from legalizing many of them.”

So one would expect the anti-immigrants to immediately start crowing about this. However, they have a small problem: one of the chief restrictionists, Mark Krikorian of Center for Immigration Studies, has already conceded that drastically reforming this bar *would not be amnesty*. I have linked to audio from Spring 2010, when I had the chance to get Krikorian on the record on Ross Kaminsky’s radio show. In it, you can clearly hear Krikorian declare that allowing the spouse of a U.S. citizen to stay in the country after a very minor penalty for overstaying would not be amnesty and also that he is not a “big fan” of the bar in the first place.

In fact, Krikorian stated he would *support* replacing the 3/10 year bar with a 6 months/1 year bar.

How will the anti-immigrant bloc handle the latest proposal? My prediction: They will pretend Krikorian never conceded it would not be amnesty. Any bets on whether I am right?