



The McCain-Coons Proposal Would Increase Illegal Immigration, Surge Chain Migration, Continue Catch and Release, and Give a Pathway to Citizenship to Convicted Alien Felons

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McCain-Coons ignores the recommendations made by the Department of Homeland Security's (DHS) front-line operators.

#1 Fails To Secure the Border

- The McCain-Coons proposal does not authorize a single penny for appropriations for border security, ensuring that our Nation's border is never secured or our national security protected.
- Rather than securing the border, the McCain-Coons proposal requires the DHS to submit a strategy on border security to Congress— something that **DHS has already done**.
 - DHS submitted its border security strategy months ago after hearing from its front-line men and women and sent that plan to Congress in the form of the White House's immigration framework. Rather than implementing DHS' strategy, the McCain-Coons proposal completely ignores it and instead asks DHS to submit another, redundant plan. This is an insult to the expert men and women who spent thousands of hours putting together the plan that the McCain-Coons proposal summarily rejects.

- The McCain-Coons proposal handcuffs immigration operators while refusing to provide new authorities, such as granting officials access to federal lands or border construction waiver authority.
- The McCain-Coons proposal fails to close numerous legal loopholes in our immigration system, like leaving “catch and release” for family units and unaccompanied alien minors fully in place.

#2 Not a “DACA” Bill, But a Mass Legalization Bill

- The McCain-Coons proposal grants citizenship to hundreds of thousands of additional illegal aliens that are not “DACA” recipients, including thousands who resided in the United States under Temporary Protected Status (TPS).

#3 Grants Immediate Status to Millions of Illegal Aliens—Including Dangerous Criminal Aliens and Convicted Felons

- Gives a fast-track path to U.S. citizenship to an overly-broad population of illegal aliens (including aliens who do not qualify under “DACA”).
- The proposal applies to anyone who came to the United States prior to 2013 and claims to have been under the age of 18 at the time of entry. Because there is no age cut off, under the McCain-Coons proposal, an eligible recipient could now be 65 years old, or older.
- Gives citizenship to convicted felons.
 - Under the McCain-Coons proposal, a whole host of individuals could waive prior criminal records and therefore be eligible for a fast-track path to U.S. citizenship. This includes convicted felons, as well as those who have committed domestic violence offenses, and criminal gang members. Even a deportable alien convicted of a firearms offense would be eligible for citizenship benefits under McCain-Coons.
 - Under the bill, criminal grounds of ineligibility are subject to extremely broad waivers, such that even felonies can be waived. The waivers are so broad that they essentially exempt this class of aliens from criminal removal grounds that apply to other aliens. Contrary to current law—and even President Obama’s DACA policy—the expunged records cannot be considered.
 - Additionally, any alien, including a criminal alien, is eligible for citizenship as long as they simply *apply for* a T or U visa or *file* a VAWA self-petition. [Note: merely filing a claim is sufficient to become a beneficiary. Under the McCain-Coons proposal, it is not required that the alien’s claim even be approved].

- The proposal would be subject to widespread fraud and abuse as sworn affidavits (which is essentially just the alien’s word) would be allowed as evidence of compliance for certain eligibility requirements. Sworn affidavits are also allowed as evidence of “extreme hardship.”
- The McCain-Coons proposal includes no meaningful education requirements for would-be beneficiaries. The few educational requirements in the proposal are easily subject to fraud, because there is no requirement that aliens demonstrate that they actually attend classes, as mere enrollment is sufficient.
- The McCain-Coons proposal explicitly prevents DHS from removing anyone who is “enrolled in” school over the age of 4. This would include teenage human smugglers, gang members, or criminal aliens.
- The proposal would also force U.S. taxpayers to subsidize illegal aliens’ higher education costs by repealing the prohibition on in-state tuition for illegal aliens at public colleges and universities.

#4 Surges Chain Migration

- The McCain-Coons proposal does nothing to stop unchecked chain migration, while actually increasing the number of individuals eligible to bring in their foreign relatives through chain migration.
- Under current law, illegal aliens are unable to legally bring over their foreign relatives through chain migration. By providing a pathway to citizenship to potentially millions of illegal aliens, while leaving chain migration intact across the entire U.S. immigration system, these individuals would then be able to bring over all of their non-parental relatives through chain migration, who in turn could bring in their foreign relatives, potentially adding millions of people to future flows of chain migrants on top of existing chain migration flows. It thus **surges** chain migration, rather than fulfilling the Administration’s goal of ending it.

#5 Keeps the Visa Lottery

- The bill does nothing to address the outdated and dangerous Visa Lottery program, let alone fulfill the Administration’s goal of ending it.

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Topics: [Border Security \(/topics/border-security/\)](/topics/border-security/), [Immigration and Citizenship Services \(/topics/immigration-and-citizenship-services/\)](/topics/immigration-and-citizenship-services/), [Immigration Enforcement \(/topics/immigration-enforcement/\)](/topics/immigration-enforcement/)

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