



FEDERATION FOR AMERICAN IMMIGRATION REFORM

FAIR opposes McCain Amendments #1632 and #1633 to the NDAA

June 10, 2015

The Federation for American Immigration Reform (FAIR) is advising all Senators and staff that it opposes the McCain/Johnson Amendment #1632 and the McCain Amendment #1633 to H.R. 1735, the National Defense Authorization Act (NDAA). Securing the Southern border is an important element of combatting illegal immigration, however, the McCain/Johnson amendment undermines that effort because the language is weaker than current law.

The McCain/Johnson amendment is actually several sections of the McCaul Border Security First Act, a [loophole-ridden bill](#) that is designed to convince the American public that our illegal immigration crisis is being addressed. Specifically, McCain/Johnson does not even require the Department of Homeland Security (DHS) to [actually obtain](#) situational awareness or operational control of any part of the border, it merely requires DHS to submit a **plan** for doing so. Notably, if DHS fails to meet these goals—or even fails to submit a border security plan entirely—the amendment imposes **no consequences**. Additionally, McCain/Johnson would statutorily incorporate the term “undocumented migrant”—language favored by pro-amnesty activists that is factually inaccurate and contrary to terms defined in the Immigration and Nationality Act.

The NDAA, must-pass legislation that authorizes funding for our military, is not the proper channel for pushing through flawed border language. Indeed, Senator McCain [agreed](#) just last month when he declared, “We’re not doing anything on immigration on the NDAA.”

FAIR urges a NO vote on McCain/Johnson Amendment #1632 and will include it in FAIR’s Voting Report.

The **Federation for American Immigration Reform (FAIR)** is advising all Senators and staff that it **opposes McCain Amendment #1633** to H.R. 1735, the National Defense Authorization Act (NDAA). Securing the Southern border is an important element of combatting illegal immigration, however, the McCain amendment—if made law—significantly undermines that effort.

The statutory metric for measuring border security (as set forth in the Secure Fence Act) is “operational control” even though the Obama Administration [abandoned](#) it years ago. The McCain amendment appears designed to change the standard for measuring border security to simply apprehending or turning back **some** illegal entries. This watered down standard means that as long as the administration apprehends only a handful of illegal border crossers it can declare our borders are secure. This false notion of “border security” will be used by the open borders lobby to push for a mass amnesty bill! Additionally, while the amendment purports to grant the Border Patrol access to Federal lands to combat illegal immigration, as drafted, it appears to impose unnecessary limitations on the Border

Patrol that will limit its effectiveness. For example, the amendment only authorizes “routine” motorized patrols.

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FAIR urges a NO vote on McCain Amendment #1633 and will include it in FAIR’s Voting Report.