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**Senate amendments to H.R. 5281 - Removal Clarification Act of 2010  
(Development, Relief, and Education for Alien Minors (DREAM) Act)**

1. Provides for the consideration of the Senate amendments to H.R. 5281.
2. Makes in order a motion by the chair of the Committee on the Judiciary that the House concur in the Senate amendments numbered 1 and 2, and that the House concur in the Senate amendment numbered 3 with the amendment printed in the report of the Committee on Rules accompanying this resolution.
3. Provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.
4. Waives all points of order against consideration of the motion except those arising under clause 10 of rule XXI.
5. Provides that the Senate amendments and the motion shall be considered as read.

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**RESOLUTION**

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 5281) to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a single motion offered by the chair of the Committee on the Judiciary or his designee that the House concur in the Senate amendments numbered 1 and 2, and that the House concur in the Senate amendment numbered 3 with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour

equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

#### SUMMARY OF HOUSE AMENDMENT

Under the amendment, a Dream Act applicant who meets the amendment's requirements becomes a "conditional nonimmigrant." The Dream Act would allow an individual to obtain this conditional status only if he or she meets all of a set of requirements, including having been brought to the United States as a child 15 years old or younger, and is currently 29 years old or younger. The Dream Act further limits eligibility for conditional status by specifically excluding anyone who has committed one felony or three misdemeanors or is likely to become a public charge, among other criteria.

While they are in conditional status, Dream Act participants are excluded from receiving government subsidies to participate in the health insurance exchanges created by the Affordable Care Act. They also would be ineligible for Medicaid, Food Stamps and other entitlement programs. Furthermore, they are prohibited from obtaining Pell grants, Federal supplemental educational opportunity grants, and other federal grants. However, they would be eligible for federal work study and student loans as well as social insurance programs to which they have contributed, as this would require them to earn or repay the money they need for their education.

Conditional nonimmigrant status must be terminated if the participant fails to continue to meet the conditions for receiving that status, including having good moral character, keeping a clean criminal record, and staying self-sufficient. If the applicant has joined the military, status must be terminated if the applicant receives a dishonorable or other than honorable discharge. Under the bill, a successful Dream Act applicant receives a conditional status for an initial period of 5 years. After those 5 years, the individual applies for an extension of their conditional status for a second period of 5 years. The Dream Act would allow an individual to obtain the 5-year extension of their conditional status only if he or she has demonstrated good moral character during the 5-year period they have had conditional status; has lived continuously in the United States during the 5 years; and has either earned a degree from an institution of higher education, completed at least two years of post-secondary education in good standing towards a bachelor's degree, served in the U.S. Armed Forces for at least two years and, if discharged, has received an honorable discharge.

After 10 years in conditional status, the Dream Act then gives this limited group of individuals the chance to earn lawful permanent resident status, but only if the applicant meets additional standards such as having paid taxes; having demonstrated the ability to read, write, and speak English and demonstrates knowledge and understanding of the fundamentals of the history, principles, and form of government of the United States; having maintained good moral character throughout the 10 years; having lived continuously in the United States throughout the 10 years; and having once more submitted biometric and biographic information and completed security and law-enforcement background checks.

The Dream Act also contains a one-year application deadline. An individual would be required to apply for conditional status within one year of obtaining a high school degree or a GED or the effective date of interim regulations under the Act. The Dream Act places the burden of proof on the applicant. An individual would be required to demonstrate eligibility for the Dream Act by a preponderance of the evidence.