

S 3992

DREAM Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Nov 30, 2010

Current Status: Cloture motion on the motion to proceed to the bill rendered moot in Senate. (consideration: CR S866

Latest Action: Cloture motion on the motion to proceed to the bill rendered moot in Senate. (consideration: CR S8668) (Dec 9, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/3992>

Sponsor

Name: Sen. Durbin, Richard J. [D-IL]

Party: Democratic • **State:** IL • **Chamber:** Senate

Cosponsors (1 total)

| Cosponsor | Party / State | Role | Date Joined |
|-------------------------------|---------------|------|-------------|
| Sen. Leahy, Patrick J. [D-VT] | D · VT | | Dec 1, 2010 |

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

| Bill | Relationship | Last Action |
|-------------|--------------|--|
| 111 HR 6327 | Related bill | Dec 20, 2010: Referred to the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law. |
| 111 HR 6497 | Related bill | Dec 20, 2010: Referred to the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law. |
| 111 S 3962 | Related bill | Nov 18, 2010: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 644. |
| 111 S 3963 | Related bill | Nov 18, 2010: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 645. |
| 111 S 3827 | Related bill | Sep 23, 2010: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 583. |
| 111 HR 1751 | Related bill | May 14, 2009: Referred to the Subcommittee on Higher Education, Lifelong Learning, and Competitiveness. |
| 111 S 729 | Related bill | Mar 26, 2009: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3930-3932) |

Development, Relief, and Education for Alien Minors Act of 2010 or DREAM Act of 2010 - Authorizes the Secretary of Homeland Security (DHS) to cancel the removal of, and adjust to conditional nonimmigrant status, an alien who: (1) entered the United States before his or her 16th birthday and has been present in the United States for at least five years immediately preceding this Act's enactment; (2) is a person of good moral character; (3) is not inadmissible or deportable under specified grounds of the Immigration and Nationality Act; (4) has not participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; (5) has not been convicted of certain offenses under federal or state law; (6) has been admitted to an institution of higher education (IHE) or has earned a high school diploma or general education development certificate in the United States; (7) has never been under a final order of exclusion, deportation, or removal unless the alien has remained in the United States under color of law after such order's issuance, or received the order before attaining the age of 16; and (8) was under age 30 on the date of this Act's enactment.

Authorizes the Secretary to waive specified grounds of inadmissibility or deportability for humanitarian, family unity, or public interest purposes.

Requires an alien to apply for cancellation of removal and conditional nonimmigrant status within one year after the later of: (1) being admitted to an IHE; (2) earning a high school diploma or general education development certificate in the United States; or (3) enactment of this Act.

Requires prior to cancellation of removal or granting of conditional nonimmigrant status: (1) an alien to submit biometric and biographic data; and (2) completion of security and law enforcement background checks.

Requires an alien applying for relief to: (1) register under the Military Selective Service Act if so required; and (2) undergo a medical examination.

Prohibits the Secretary from removing an alien with a pending application who establishes prima facie eligibility for cancellation of removal and conditional nonimmigrant status.

Establishes a 10-year period of conditional nonimmigrant status which shall include employment authorization.

Terminates such status if the alien: (1) becomes a public charge; (2) receives a dishonorable or other than honorable military discharge; or (3) ceases to be a person of good moral character, becomes inadmissible or deportable under specified grounds, has participated in racial, religious, social, or political persecution, or has been convicted of certain federal or state offenses.

Authorizes a conditional nonimmigrant to file an application to adjust his or her status to that of an alien lawfully admitted for permanent residence. Requires such application to be filed during the period beginning 1 year before and ending on either the date that is 10 years after the date of the granting of conditional nonimmigrant status or any other expiration date as extended by the Secretary.

Requires such application to show that the alien: (1) has demonstrated good moral character; (2) is not inadmissible or deportable under specified grounds, has not participated in racial, religious, social, or political persecution, and has not been convicted of certain federal or state offenses; (3) has not abandoned U.S. residency; (4) has earned an IHE degree (or has completed at least two years in a bachelor's or higher degree program) in the United States, or has served in the Armed Forces for at least two years (or if discharged, was honorably discharged); and (5) has provided a list of each secondary school attended in the United States.

Authorizes, and sets forth the criteria for, a hardship exception to such adjustment of status requirements.

Requires an alien, prior to adjusting from conditional to permanent resident status, to: (1) satisfy citizenship and federal tax requirements; (2) submit biometric and biographic data; and (3) have had security and law enforcement background checks completed.

Authorizes an alien who adjusts to permanent resident status (and meets other specified requirements) to apply after three years in such status for naturalization.

Authorizes: (1) the Secretary to cancel removal and grant conditional nonimmigrant status to an alien who has satisfied all the conditional status and certain permanent resident status requirements prior to enactment of this Act; and (2) an alien who has met the appropriate requirements during the entire period of conditional nonimmigrant status to apply for permanent resident status.

Sets forth provisions regarding: (1) jurisdiction of the Secretary and the Attorney General; (2) penalties for false application statements; (3) confidentiality of information; (4) higher education assistance; (5) military enlistment; and (6) a Government Accountability Office (GAO) report respecting the number of aliens adjusted under this Act.

Actions Timeline

- **Dec 9, 2010:** Motion to proceed to measure considered in Senate. (consideration: CR S8662-8668)
- **Dec 9, 2010:** Motion to table the motion to proceed to the bill agreed to in Senate by Yea-Nay Vote. 59 - 40. Record Vote Number: 268. (consideration: CR S8668)
- **Dec 9, 2010:** Cloture motion on the motion to proceed to the bill rendered moot in Senate. (consideration: CR S8668)
- **Dec 6, 2010:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S8552)
- **Dec 6, 2010:** Cloture motion on the motion to proceed to the bill presented in Senate. (consideration: CR S8552; text: CR S8552)
- **Dec 6, 2010:** Motion to proceed to consideration of measure withdrawn in Senate. (consideration: CR S8552)
- **Dec 1, 2010:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 663.
- **Nov 30, 2010:** Introduced in Senate
- **Nov 30, 2010:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time. (text of measure as introduced: CR S8301-8304)

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