

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 6) TO AUTHORIZE
THE CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS OF
CERTAIN ALIENS, AND FOR OTHER PURPOSES

JUNE 3, 2019.—Referred to the House Calendar and ordered to be printed

Ms. SHALALA, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 415]

The Committee on Rules, having had under consideration House Resolution 415, by a record vote of 8 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 6, the American Dream and Promise Act of 2019, under a closed rule. The resolution provides two hours of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-16, modified by the amendment printed in this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes waivers of the following:

- Section 103(i) of H. Res. 6, which prohibits consideration of an unreported bill pursuant to a rule. However, Rules Committee Print 116-16 is comprised of the text of H.R. 2820 and H.R. 2821 as reported by the Committee on the Judiciary.
- Section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) or 302(b) allocation of such authority.

- Section 311 of the Congressional Budget Act, which prohibits consideration of legislation that would cause the level of total new budget authority for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided, except when a declaration of war by the Congress is in effect.

- Clause 10 of rule XXI, which prohibits consideration of a measure that has a net effect of increasing the deficit or reducing the surplus over the five- or 10-year period.

Although the resolution waives all points of order against provisions in the bill, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 90

Motion by Mr. Cole to report an open rule for H.R. 6. Defeated: 4–8.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 91

Motion by Mr. Cole to provide that, on adoption of the rule, H.R. 6 is recommitted to the Committee on the Judiciary, with instructions to add language authorizing resources for the security and humanitarian crisis at the border. Defeated: 4–8.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 92

Motion by Mr. Cole to amend the rule to H.R. 6 to make in order and provide the appropriate waivers to amendment #8, offered by Rep. Diaz-Balart (FL), which provides Temporary Protected Status (TPS) to certain Venezuelan nationals. Defeated: 3–7.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala			
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 93

Motion by Mr. Woodall to amend the rule to H.R. 6 to make in order and provide the appropriate waivers to amendment #11, offered by Rep. Peterson (MN), which provides for children dependents of E-1, E-1, H-1b and L visa holders to apply for permanent residency. Defeated: 3–8.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 94

Motion by Mr. Woodall to add a separate section for consideration of H.R. 586, the Fix the Immigration Loopholes Act, under an open rule. Defeated: 4–8.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 95

Motion by Mr. Burgess to amend the rule to H.R. 6 to make in order amendment #6, offered by Rep. Burgess (TX), which makes a DACA recipient ineligible to apply for a change in status to lawful permanent resident on a conditional basis if the recipient originally entered the United States from Mexico and is a national of a country other than Mexico. Defeated: 4–8.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		

Majority Members	Vote	Minority Members	Vote
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 96

Motion by Mr. Burgess to amend the rule to H.R. 6 to make in order amendment #7, offered by Rep. Burgess (TX), which makes a DACA recipient or any alien who has temporary protected status ineligible for asylum unless the alien's claims supporting a credible fear of persecution are more probably than not true; determines that being a DACA recipient or having temporary protected status does not constitute membership in a particular social group for purposes of applying for asylum. Defeated: 4–8.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 97

Motion by Mrs. Lesko to amend the rule to H.R. 6 to make in order the following amendments: amendment #3, offered by Rep. Lesko (AZ), which prevents any alien who has made misrepresentations or falsely claimed citizenship from accessing the relief offered under this bill; amendment #4, offered by Rep. Lesko (AZ), which adds conviction for driving under the influence (when such impaired driving was the cause of serious bodily injury or death of another person), or a second or subsequent conviction for driving under the influence, to the list of criminal offenses that would exclude an individual under this bill; and amendment #10, offered by Rep. Lesko (AZ), which adds membership in a criminal street gang as a factor to exclude individuals from the relief offered in this bill. Defeated: 4–8.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Mr. DeSaulnier	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 98

Motion by Ms. Shalala to report the rule. Adopted: 8–4.

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Nay
Mrs. Torres	Yea	Mr. Woodall	Nay
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin	Yea	Mrs. Lesko	Nay
Ms. Scanlon	Yea		
Mr. Morelle	Yea		
Ms. Shalala	Yea		
Mr. DeSaulnier	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT CONSIDERED AS ADOPTED

1. Nadler (NY), García, Jesús (IL), Cárdenas (CA): Provides that a judgment that has been expunged or set aside, that resulted in a rehabilitative disposition, or the equivalent is not considered to be an adjudication for the purposes of this Act.

TEXT OF AMENDMENT CONSIDERED AS ADOPTED

Page 16, line 8, strike “the term ‘convicted’ or ‘conviction’” and insert “the term ‘convicted’, ‘conviction’, ‘adjudicated’, or ‘adjudication’”.

