

## MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on March 16, 2011, in Room 144-S of the Capitol.

All members were present except:  
Senator Ralph Ostmeier

## Committee staff present:

Jason Long, Office of the Revisor of Statutes  
Doug Taylor, Office of the Revisor of Statutes  
Dennis Hodgins, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Connie Burns, Committee Assistant

## Conferees appearing before the Committee:

Representative Caryn Tyson  
Gary Sherrer, Kansas Board of Regents  
Andrea Pardo-Spalding  
Alaide Vilchis  
Sister Therses Bangert, Sister of Charity of Leavenworth  
Angela L.e Williams, LLC, Wichita, Kansas  
Kathy Cook, Kansas Families for Education  
Jim Edwards, Kansas Association of School Boards  
Maria Magdaleno, Sunflower Community Action  
Reverend Rick Behrens, Grandview Park Presbyterian Church, Kansas City

Others attending:  
See attached list.

**Final Action:****SB 223--Public facilities; accessibility standards, disabled persons**

Senator Longbine moved to pass HB 2001 out favorably. Senator Owens seconded the motion. The motion carried.

**HB 2060--Recognizing the primacy of decisions written by a member of the military on the federal DD form 93**

Senator Owens moved to pass HB 20602 out favorably. Senator Reitz seconded the motion. The motion carried.

**Hearing:****HB 2006-- Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States**

Chairman Brungardt opened the hearing on **HB 2006**.

Staff provided an overview of the bill. (Attachment 1)

Representative Caryn Tyson appeared in support of the bill. (Attachment 2) The bill will repeal existing KSA 76-729 and 76-731a, and will require a person that is not lawfully present in the United States to pay non-resident fees at any state educational institution, and will save money for Kansas taxpayers and will help bring Kansas law into compliance with federal law regarding unlawful aliens.

Kandy Abernathy, Missouri, provided written testimony in support of the bill. (Attachment 3) Ms. Abernathy stated that her daughter who lives out of state but is a US Citizen would have to pay out of state tuition to attend Kansas colleges.

## CONTINUATION SHEET

The minutes of the Federal and State Committee at 10:30 a.m. on March 16, 2011, in Room 144-S of the Capitol.

Representative Connie O'Brien provided written testimony in support of the bill. (Attachment 4) That while enrolling her son in community college a student in the line next to theirs was asking about her scholarship money and was told that without having a photo ID or Driver's license she could not receive her scholarship money. Representative O'Brien stated that a student who has no photo ID or a Kansas driver's license should not have qualified for any financial aid, scholarships or in-state tuition.

Written testimony was provided by Lindsay Mock in support of the bill. (Attachment 5) Ms. Mock is a legal resident of Washington State and pays out of state tuition; and she feels that illegal immigrants and their children attending college in this state that pay the in-state tuition, and have not taken the time to become citizens is outrageous.

### **Opponents:**

Gary Sherrer, Chairman, Kansas Board of Regents, spoke in opposition to the bill. (Attachment 6) The law enacted by the 2004 Legislature that allows certain undocumented immigrants to attend the state's public postsecondary institutions at in-state rates. The Board strongly supported the adoption of this law when it was approved in 2004, and the Board has strongly opposed subsequent efforts to repeal it. It is important to clarify what this law is and what it is not. This law does not allow undocumented immigrant students to attend public postsecondary institutions for free. These students, who come from our state's high schools, must still pay tuition. They must pay the same tuition that their high school classmates pay as they attend our state's colleges and universities. These students, due to their immigration status, are not eligible for any state or federal student financial aid. These students bear the entire burden of the cost of attendance, no matter how evident or significant their financial need.

The Board supports this law because these students have done everything asked of them and more. After arriving in this country at no fault of their own, they've become proficient in English, they've earned the grades and achieved the standardized test scores necessary for college admission, and they've signed a legal affidavit attesting to the fact that they intend to become U.S. citizens. This bill will not address the illegal immigration issue, and if repealed will not stop one person from entering Kansas illegally. This legislation denies individuals and Kansas the opportunities and benefits that education provides, and we ask not to punish Kansas and these talented young men and women in an attempt to make a political statement.

Andrea Pardo-Spalding spoke in opposition to the bill. (Attachment 7) Under the instate tuition law, she did not receive any government financial help, and starting in her senior year in high school and continuing throughout college she applied for private scholarships and graduated debt free. She has graduated from Kansas State University with a Master of Architecture degree and now works with an architect, drawing commercial and residential plans and volunteers in the community every chance she gets. The instate tuition law worked in her life, and it is working in the lives of immigrant students around the state.

Alaide Vilchis, testified in opposition to the bill. (Attachment 8) Ms. Vilchis stated, when Kansas legislators passed the in-state tuition law, they opened a door for undocumented immigrants to get a higher education, but they also gave the state the opportunity to create active and productive members of this society.

Sister Therese Bangert, Sisters of Charity of Leavenworth, spoke in opposition to the bill. (Attachment 9) The Sisters of Charity of Leavenworth celebrated their 150<sup>th</sup> birthday two years ago, and have been part of educating Kansas children all of those years. The Constitution which sets a framework for lives, states that the very spirit of the founding Sisters was born within the immigrant and pioneer spirit of the late 1850's. Educating immigrants has been part of that service for 152 years.

Angela L. Williams, LLC, appeared in opposition to the bill. (Attachment 10) Ms. Williams stated the fact that these students have no way to "get legal" at the present time. Their parents brought them here to the United States sometime when they were mere babies to give them a better life and a better education. These students had no part in the decision to enter our country without inspection or to overstay their tourist visas. To qualify for a non-immigrant visa, i.e. a student visa, the student has to provide proof of acceptance to a college and be able to afford to pay tuition/room/board but also the student has the

## CONTINUATION SHEET

The minutes of the Federal and State Committee at 10:30 a.m. on March 16, 2011, in Room 144-S of the Capitol.

intention to return to their home country after finishing their studies. According to the current visa bulletin, for a Mexican born beneficiary, immigration is only working on cases that were received by the service before February 1 of 1996.

These families have contributed to the Kansas economy for years, working; owning businesses, paying property and sales tax and often even state, federal and local income tax. Ms. Williams urged the committee to vote against the repeal of in-state tuition for these students who want nothing but the opportunity to go to college and make the only home many have ever know, Kansas and the United States a better place.

Kathy Cook, Executive Director, Kansas Families for Education, testified in opposition to the bill. (Attachment 11) Ms. Cook contends that to deny students access to higher learning is not only detrimental to them as individuals, but detrimental to our state and our economy. If these students are denied in-state tuition, it would take dollars away from our already under funded higher educational institutions, that most of these students can only afford to get a higher education at the in-state tuition cost.

Jim Edwards, Assistant Executive Director – Operations, Kansas Association of School Boards, spoke in opposition to the bill. (Attachment 12) KASB opposes the bill, which would repeal in-state tuition rates for undocumented immigrant children. The reason the members adopted this position are both practical and ethical:

- Enforcing immigration law should not punish the innocent – passing the bill would do nothing to enforce the “rule of law” nor would it remove these students from our state.
- Public schools are legally responsible for the educational attainment of all children, regardless of citizenship
- Kansas needs more, not fewer workers with higher skills

KASB believes it makes neither economic nor moral sense to erect higher barriers to post secondary education for the children who would lose benefits if the bill is passed. Diane Gjerstad, Government Relations, Wichita Public Schools, was not able to attend the hearing but wished to be noted as in opposition to the bill.

Maria Magdaleno, Sunflower Community Action, spoke in opposition to the bill. (Attachment 13) The argument that allowing immigrant students to receive in-state tuition is expensive to tax payers; the reality is that the state is making money that otherwise would not be made. There are 413 immigrant students attending a higher education institution through this program with a high percentage of them already in the system to becoming documented citizens. These students would probably not be in college if out-of-state tuition were required

The Reverend Rick Behrens, Grandview Park Presbyterian Church, Kansas City, Kansas, appeared in opposition to the bill. (Attachment 14) Repealing in state tuition for Kansas children, young people, raised and educated right here in Kansas, is a step backwards.

The Catholic Bishops of Kansas provided written testimony in opposition to the bill. (Attachment 15) Immigration is a federal responsibility that simply cannot be addressed coherently by fifty different state policies; however, in attempting to compensate for congressional inaction, states should take care not to pursue remedies that fail to bring us closer to a solution to our immigration challenges.

Ben Gerrard, University of Kansas School of Social Work, provided written testimony and an on-line petition in opposition to the bill. (Attachment 16) Mr. Gerrard launched an online petition (Defeat **HB 2006**) two weeks prior; in the short time over 270 Kansas have signed on. Many of the signatories are Kansas University students and faculty, as well as concerned constituents. The petition specifies that it is only for Kansas residents and all signatures are verifiable by email. The petition is still active ([www.petitiononline.com/hb2006](http://www.petitiononline.com/hb2006)) and continues to accumulate signatures.

Kansas Bishops of the Episcopal Church, the Evangelical Lutheran Church in America and the United Methodist Church, together, provided written testimony in opposition to the bill. (Attachment 17) As the 2011 Legislative Session again revisits the policy of in-state tuition at our Regent institutions, we call on

## CONTINUATION SHEET

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legislators to uphold this policy. This call comes from our belief in the call of the Gospel to welcome the stranger, to embrace the children, and to care for those on the outer edges of our society.

Chairman Brungardt closed the hearing on **HB 2006**.

Senator Reitz made a motion to not recommend for passage **HB 2006**. Senator Owens seconded the motion. The motion carried. The measure will not be advanced.

The next meeting is scheduled for March 17, 2011. The meeting was adjourned at noon.

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE  
GUEST LIST

DATE 3-16-11

NAME	REPRESENTING
<del>Anthony</del> A. Fodor	AOA
Jeff Zehnder	WIBW-AM
Emira Palacios	Sunflower Community Action
Maria Magdalena	Sunflower Community Action
Guadalupe Magdalena	Sunflower Comunidad Latina en accion
Martha Grabehert	Ks. Com. on Disability Concerns KDC
Holly Hausler	
Ben Gerrard	
Mona Kassim	
Angie Williams	American Immigration Lawyers Assn.
Rick Behrens	Grandview Park Presbyterian Church
Bimmy Reader	Prayer on the Hill
Megan Brooks	Legislative Intern - Rep. Don Hill
Hunter Hausler	
Austin Bradley	
Dennis Mersmann	interested party
David Young	
Pam Scott	Ks Funeral Directors Assn
TED HEZLEY	CS.
John D. Pinegar	Washburn University
Missy Taylor	Kansas Families for Education
Kathy Cook	Ks FAMILIES FOR EDUCATION
Larry Bea	KACUT
Jim Edwards	KASB
Julie Hein	Hein Law Firm

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE  
GUEST LIST

DATE \_\_\_\_\_

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**76-731a. Certain persons without lawful immigration status deemed residents for purpose of tuition and fees.** (a) Any individual who is enrolled or has been accepted for admission at a postsecondary educational institution as a postsecondary student shall be deemed to be a resident of Kansas for the purpose of tuition and fees for attendance at such postsecondary educational institution.

(b) As used in this section:

(1) "Postsecondary educational institution" has the meaning ascribed thereto in K.S.A. 74-3201b, and amendments thereto; and

(2) "individual" means a person who (A) has attended an accredited Kansas high school for three or more years, (B) has either graduated from an accredited Kansas high school or has earned a general educational development (GED) certificate issued within Kansas, regardless of whether the person is or is not a citizen of the United States of America; and (C) in the case of a person without lawful immigration status, has filed with the postsecondary educational institution an affidavit stating that the person or the person's parents have filed an application to legalize such person's immigration status, or such person will file such an application as soon as such person is eligible to do so or, in the case of a person with a legal, nonpermanent immigration status, has filed with the postsecondary educational institution an affidavit stating that such person has filed an application to begin the process for citizenship of the United States or will file such application as soon as such person is eligible to do so.

(c) The provisions of this section shall not apply to any individual who:

(1) Has a valid student visa; or

(2) at the time of enrollment, is eligible to enroll in a public postsecondary educational institution located in another state upon payment of fees and tuition required of residents of such state.

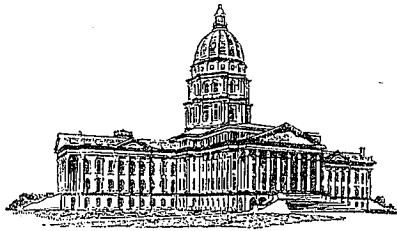
(d) Any individual who: (1) Files an affidavit which contains false information; (2) fails to file an application to legalize such person's immigration status within one year of becoming eligible; (3) fails to begin the process for citizenship within one year of becoming eligible; or (4) fails to maintain an active application for citizenship after filing therefor shall not be deemed a resident of the state of Kansas for the purpose of tuition and fees. In addition, such individual shall be required to repay the difference between the amount of fees and tuition actually paid and the amount such person would have paid as a nonresident of the state of Kansas, plus interest at a rate not to exceed the maximum under K.S.A. 16-201, and amendments thereto, for the time such individual was enrolled as a resident pursuant to this section.

**History:** L. 2004, ch. 172, § 1; July 1.

(2)

STATE OF KANSAS  
HOUSE OF REPRESENTATIVES

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CARYN TYSON  
4TH DISTRICT

Caryn Tyson  
P.O. Box 191  
Parker, KS 66072  
March 16, 2011

Pete Brungardt  
Chairman Senate Federal and State Affairs Committee  
State Capitol  
300 SW 10<sup>th</sup> Ave.  
Topeka, KS 66612

Dear Chairman Brungardt and Committee Members:

I am asking for your support of House Bill 2006 (HB2006). This bill will repeal existing Kansas Statutes 76-729 and 76-731a. Your support of HB 2006 will **require a person that is not lawfully present in the United States to pay non-resident fees at any state educational institution.** Your support will save money for Kansas taxpayers and will help bring Kansas law into compliance with federal law regarding unlawful aliens.

Currently, Kansas law rewards aliens who have violated federal law by allowing them to pay in-state tuition rates, rates that are denied to lawful aliens and U.S. citizens. Aliens that have unlawfully entered into our country or simply overstayed the limit on their visa have broken federal law and should not be rewarded for their actions. These illegal aliens attend our universities and colleges at preferential tuition rates, while aliens that respect and follow our laws pay non-resident fees.

Kansas is strapped for funds, so much that we are considering cutting state employee salaries and necessary services, while we continue to use Kansas taxpayer money to support persons who are not lawfully present in our country. The Kansas Board of Regents documented **413 students enrolled and paying in-state tuition rates under K.S.A. 76-731a in 2010.** Dennis Hodgins, Legislative Research, calculated **an estimated cost of \$573,120 per semester, or \$1.1 million per school year** (this is assuming the student attended two semesters, no summer school or winter term, and the students are undergraduates).

In 2005 there were 221 students enrolled under K.S.A. 76-731a. In five years the number of unlawful aliens attending state educational institutions has almost doubled.

Sn Fed & State  
Attachment 2  
3-16-11



The cost of graduate classes to Kansas taxpayers is much higher than undergraduate classes. For example, there is a \$7,975 difference between resident and non-resident students attending the Kansas University Master of Engineering program.

A report by Paul Soutar states, "The [Pew Hispanic] Center estimates that between 40,000 and 70,000 illegal immigrants resided in Kansas as of 2005." The report also states, "The Federation for American Immigration Reform (FAIR) estimates it costs Kansas taxpayers \$259 million annually to fund public K-12 education for illegal immigrants and children born to illegal immigrants."

Foreign exchange students, students that have obeyed the law and entered our country legally, pay non-resident fees in Kansas. As you consider your vote for HB2006, please consider that U.S. citizens and foreign-exchange students, **legal aliens, pay higher rates to attend our state educational institutions than unlawful aliens.** A vote of "yes" for HB2006 helps correct this injustice.

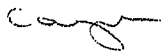
A repeal of these statutes does not prevent a student from attending a taxpayer-funded educational institution nor does it deny the ability of that individual to obtain citizenship. An unlawful alien may apply for U.S. citizenship at the age of 18 years. If under 18 years, they may become a naturalized citizen by at least one parent being or becoming a U.S. citizen. (Source: [www.uscis.gov](http://www.uscis.gov))

The state appropriates funds to state universities, community colleges, technical colleges, and Washburn University, as a state operating grant, retaining ownership and accountability for tuition fees. The less money that is collected for tuition fees means the Kansas taxpayers make up the difference. Therefore, it is costing the Kansas taxpayer when a person not lawfully in our country attends any state educational institution at in-state tuition rates.

Your support of HB2006 will stop taxpayer-funded benefits from going to unlawful aliens.

Thank you for your consideration and support.

Respectfully submitted,



Caryn Tyson

**Kansas University School of Engineering 2010- 2011**

	<b>Graduate Resident</b>	<b>Graduate Non-Resident</b>
Tuition*	\$5,319	\$12,438
Fees**	\$1,596	\$1,646
Living Expenses***	\$10,598	\$11,404
<b>Total</b>	<b>\$17,513</b>	<b>\$25,488</b>

\*Based on 9 hours per semester for 2 semesters; Source: <http://www.engr.ku.edu/prospective/graduate/scholarships.html>

**Kansas State University School of Engineering 2010- 2011**

	<b>Undergraduate Resident</b>	<b>Undergraduate Non-Resident</b>
Tuition*	\$6,228	\$16,520
Fees	\$704	\$704
Living Expenses	\$6,954	\$6,954
<b>Total</b>	<b>\$13,886</b>	<b>\$24,178</b>

\*Based on 14 hours per semester for 2 semesters; Source: <http://conser.k-state.edu/tuitionandcosts/>

**Kansas Board of Regents**  
**Student Headcount Enrolled under Provisions of K.S.A. 76-731a**  
**Fall 2005 - 2010 (Based on fall 20th day enrollments)**

Institution		2005	2006	2007	2008	2009	2010
Public Universities	Emporia State University	4	4	9	3	3	2
	Fort Hays State University	1	6	7	14	18	25
	University of Kansas and KUMC	4	8	11	10	11	14
	Kansas State University	4	4	7	11	10	15
	Pittsburg State University	1	2	2	4	1	1
	Washburn University Total	0	0	0	1	0	1
	Washburn University	0	0	0	0	0	1
	Washburn Institute of Technology	0	0	0	1	0	0
	Wichita State University	21	5 *	10	17	17	4
Public Universities subtotal		35	29	46	60	60	62
Community Colleges	Allen County	0	1	1	1	0	0
	Barton County	3	2	1	7	8	8
	Butler County	14	28	31	47	48	63
	Cloud County	0	0	0	10	1	0
	Coffeyville	4	0	0	0	0	0
	Colby	0	0	0	0	0	0
	Cowley County	2	2	2	1	0	0
	Dodge City	0	0	0	0	0	17
	Fort Scott	0	0	0	0	0	2
	Garden City	5	7	10	16	19	15
	Highland	0	0	2	2	0	0
	Hutchinson	2	2	6	2	5	8
	Independence	0	0	0	0	0	2
	Johnson County	51	40	69	64	78	84
	Kansas City KS	5	16	34	43	51	55
	Labette	0	0	0	0	0	0
	Neosho County	1	2	1	2	0	0
	Pratt	1	1	2	0	1	1
	Seward County	94	35 *	36	44	42	68
Community College subtotal		182	136	195	239	253	323
Technical Institutions	Flint Hills Technical College	3	0	1	1	1	10
	Manhattan Area Technical College	0	0	0	0	0	0
	North Central KS Technical College	0	0	0	0	0	0
	Northwest KS Technical College	0	0	0	1	0	0
	Salina Area Technical College	0	0	1	1	1	4
	Wichita Area Technical College	1	4	0	0	1	14
Technical Institutions subtotal		4	4	2	3	3	28
Grand Total		221	169	243	302	316	413

\* - decrease due to changes in institutional reporting procedure

Data source: KBOR report, institutional fall submissions fall 2005 - 2010

Kandy Abernathy

My name is Kandy Abernathy and I am a resident of the State of Missouri. I have 3 children: Jacey (17), Brooke (13), and Shane (8). Jacey is currently a junior in high school, Brooke is in the 8<sup>th</sup> grade, and Shane is in 3<sup>rd</sup>.

Jacey has been checking into colleges and trying to make decisions that are going to affect her for the rest of her life. She is a very intelligent young lady, and this is something that she is taking very seriously.

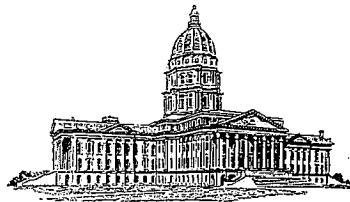
It has become quite apparent that one of the schools that Jacey would like to attend to obtain her college degree is in the State of Kansas. She has looked at various options, colleges, programs, degrees, etc., and this has been a decision that all of us have put a lot of time and effort into making.

I have been a resident of the State of Missouri my entire lifetime, have a valid drivers license, have paid personal, school, city and property taxes, and am a registered voter. By our daughter making the educated decision to attend a college in the State of Kansas, it is going to cost us a tremendous amount of extra money, due to paying out-of-state tuition.

How is it fair that an illegal immigrant, who is not a resident of the State of Kansas, or anywhere else for that matter of fact, does not have to pay out-of-state tuition to attend a Kansas college?

State of Kansas  
House of Representatives

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(913) 706-2396

Connie O'Brien  
Representative, 42nd District

March 16, 2011

Thank you Chairman Brungardt and members of the Federal and State Affairs committee:

In August 2010, I accompanied my son who was enrolling in Kansas City Kansas Community College for the first time. I was along for moral support. My son had filled out his Federal Student aid form and was told he was not eligible for any aid. We were told to proceed to the business office and ask for a payment plan.

When we arrived at the business office there was a line. We waited for our turn. There was a line on the floor and everyone unless you were being waited on was to stand behind the line. The line was getting longer and finally another clerk opened up and had us come forward.

While we were discussing our financial aid we could not help but hear what was going on beside us. A young woman had asked to receive her scholarship money and the clerk asked to see a photo ID. The young woman responded with, "I do not have a photo ID." The clerk then asked to see a state issued ID and again the woman responded, "I do not have any state ID." Then, the clerk asked if the young woman "Did you drive to get here?" The woman responded with, "Yes, I did drive." The clerk then asked, "Do you have a driver's license?" The young woman responded, "No I do not have a driver's license." The clerk then asked, "You drove here?" "Yes I drove to get here," the woman said. "But you have no drivers license?" asked the clerk. "No I don't have a driver's license," replied the woman again. Then the clerk asked the clerk who was helping us what she should do, she said she must have a photo ID. The clerk then said, "You have no state issued photo ID?" The young woman again said, "I have no photo ID." The clerk said, "I cannot give you your scholarship money without a photo ID." The young woman asked if she could talk to someone else.

The young woman could not provide any documentation of her status or proof she was a licensed driver in the state of Kansas. The young woman did not at any time state she had left these documents in her car, at home or had misplaced her ID. If she was going to attend the college and if she was driving on our roads she should at least had a driver's license or a driver's permit. She had no documents and should not have qualified for any financial aid, scholarships or in-state tuition.

*Rep. Connie O'Brien*  
Rep. Connie O'Brien

Sn Fed & State  
Attachment 4

3-16-11

Statement and Testimony Regarding Bill 2006

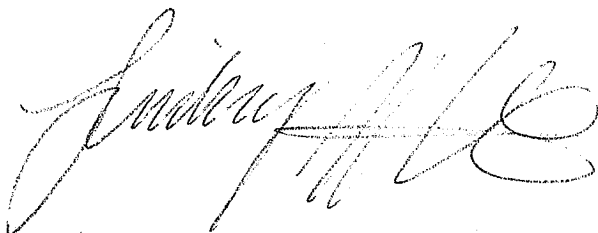
My name is Lindsay Mock and I am a legal resident of Washington State. I am a Master's of Political Science student at Kansas State University in my second semester. I was born in this country and I have a strong passion for the nation and education which brings me to the point of the statement. It has come to my attention that illegal immigrants in the state of Kansas are able to pay tuition as a resident as opposed to paying for out of state or international student rates. I was incredibly frustrated when this information was mentioned by a state employee when we were discussing the cost of education in general.

The cost of tuition for a graduate student who is considered out of state is \$6,192.50 while the cost of tuition for a graduate student that is considered in state is \$2,818.40 per semester. This is just the tuition cost for a full load of classes, which is 9 credits. Including books, service fees, parking, and supplies the cost for out-of-state rises to around \$9,000.00 per semester while the in-state students pay about \$5,000.00. My cost for school in Fall of 2010 was just over \$10,000.00 and my Winter 2011 cost came to just over \$9,000.00. This was quite a large sum of money to pay for just one year of classes however I believe that education is imperative to the future of this nation and I paid it. Because I am a citizen of this country as are my parents, I am legally able to attend a school of higher education without paying the international fee however I must pay out of state tuition if I attend a state college outside of Washington State. The fact that there are illegal immigrants and their children attending college in this state that pay the in-state tuition when they have not even taken the time to become citizens is outrageous.

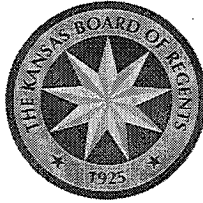
I am in shock that this is a law in the state because it so blatantly demeans the citizens of the nation and gives special rights and privileges to those who have broken the law and have added to the millions of dollars spent on preventing illegal immigration in this country. This seems to be rewarding those who have cheated the system and are now enjoying the fruits of that labor.

I have several colleagues in my Master's program that are international students and therefore pay the cost required. They have the same status as those who pay in-state tuition that are illegal immigrants except the fact that my colleagues have come into the country legally with a student visa or green card. They pay a great deal more in costs than even myself because there are other requirements when the student is not from this country. This is unfair and against the laws of the federal government.

This law should be changed to allow for those who are CITIZENS of not just Kansas but of the United States of America to pay in-state tuition for college and schools of higher learning while those who do not meet these basic requirements must pay for either out of state tuition or international student tuition. This would be fair and this would be right. It is the responsibility of the legislators of this great State to adjust or modify this amendment as written in the current corrected version of the law. They represent the people and because I have voted in the most recent election for my beliefs and rights to be protected and respected, I would expect them to listen to the people of this state that put them in their current position. This is the expectation of all inhabitants in Kansas therefore, the special privilege given to those who do not vote because they legally cannot, is inappropriate.



Lindsay mock



KANSAS BOARD OF REGENTS

SENATE FEDERAL & STATE AFFAIRS COMMITTEE

March 16, 2011

*Testimony in Opposition to House Bill 2006*

**Regent Gary Sherrer, Chairman**

Chairman Brungardt, Ranking Member Faust-Goudeau, and members of the Committee, I am here on behalf of the Kansas Board of Regents to testify in opposition to House Bill 2006, legislation that would repeal K.S.A. 76-731a – the law enacted by the 2004 Legislature that allows certain undocumented immigrants to attend the state's public postsecondary institutions at in-state rates. As you may know, the Board strongly supported the adoption of this law when it was approved in 2004, and the Board has strongly opposed subsequent efforts to repeal it.

Under the provisions of the law, an individual who is enrolled or has been accepted for admission at a postsecondary educational institution shall be deemed to be a resident of Kansas for the purpose of tuition and fees for attendance if the individual: A) has attended an accredited Kansas high school for three or more years; B) has either graduated from an accredited Kansas high school or has earned a general educational development (GED) certificate issued within Kansas, regardless of whether the person is or is not a citizen of the United States of America; and C) in the case of a person without lawful immigration status, has filed with the postsecondary educational institution an affidavit stating that the person or the person's parents have filed an application to legalize such person's immigration status, or such person will file such an application as soon as such person is eligible to do so or, in the case of a person with a legal, nonpermanent immigration status, has filed with the postsecondary educational institution an affidavit stating that such person has filed an application to begin the process for citizenship of the United States or will file such application as soon as such person is eligible to do so.

It is important to clarify what this law is and what it is not. This law does NOT allow undocumented immigrant students to attend public postsecondary institutions for free. These students, who come from our state's high schools, must still pay tuition. They must pay the same tuition that their high school classmates pay as they attend our state's colleges and universities. In fact, these students, due to their immigration status, are NOT eligible for ANY state or federal student financial aid. These students bear the entire burden of the cost of attendance, no matter how evident or significant their financial need.

Proponents of the repeal of this law often make the argument that the state is somehow subsidizing the cost of these students, that state tax dollars are being used to pay for the education of these students, that these students are taking "slots" away from resident students,

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that the state universities are losing money due to the enrollment of these students. These arguments are false. Proponents also make the argument that in-state tuition rates shouldn't be made available to "non-Kansans." Well, if that's indeed the case, the state will have to undertake a thorough examination of its current tuition policies. A multitude of tuition discounts have existed for years for a wide variety of individuals – residents from neighboring counties and/or states, reciprocal agreements with Midwestern states, children of alumni who no longer live in Kansas, employees of companies who relocate to Kansas, military servicemen and women and their dependents, etc.

The Board supports this law because it embodies the concept of expanded educational opportunity for people who live in Kansas, and who seek to enhance their ability to contribute to the well-being of our state and its economy.

The Board supports this law because it believes it enhances the likelihood that students who either graduate from Kansas high schools or earn state-issued GED certificates will attend one of the state's institutions of higher education.

The Board supports this law because the students who benefit from this provision are students who, but for the opportunity this law presents, would be unable to pay the out-of-state tuition that would be required of them. As I previously mentioned, some who are concerned about the impact of this law have concluded that as a result of the opportunity those students are seizing to attend our institutions at in-state rates, the institutions are "losing" the marginal dollars represented by the gap between that in-state tuition figure and the out-of-state rates these students would otherwise be required to pay. Again, that analysis is absolutely incorrect. The reality is that confronted with the prospect of those out-of-state rates, these students would be unable to bear those costs. They would lose their opportunity to advance their education, the institutions would lose the in-state tuition that they are currently collecting from these students, and the state would lose the many benefits from the enhanced contributions these students would make as a result of the education they would obtain. Information regarding the number of students currently benefiting from the law is attached to my testimony.

The Board supports this law because it believes that given the remarkably competitive and increasingly global economic environment that confronts us, Kansas truly needs a highly educated workforce if it is to remain competitive and reach its full potential.

According to a recent study by Georgetown University's Center on Education and the Workforce:

- Between 2008 and 2018, new jobs in Kansas requiring postsecondary education and training will grow by 99,000 while jobs for high school graduates and dropouts will only grow by 51,000.
- Between 2008 and 2018, Kansas will create 482,000 job vacancies both from new jobs and from job openings due to retirement. 301,000 of these job vacancies will be for those with postsecondary credentials, 136,000 for high school graduates, and 45,000 for high school dropouts.
- By 2018, 64% of all jobs in Kansas (1 million jobs) will require some postsecondary training beyond high school.

Other recent studies indicate:

- Increasing the nation's average level of education by one year could increase economic growth by 6-15%, adding between \$600 billion and \$1.5 trillion to U.S. economic output (U.S. Dept. of Labor). The effect would be similar in Kansas.
- In 1955, "skilled" and "professional" jobs comprised 40% of the Kansas workforce. Today, that number is 88% (ACT, Inc.).
- Kansans with higher levels of education have higher labor participation rates and are better prepared to weather economic downturns. In 2008, 65% of Kansans with a high school or less were employed, compared to 89% employment for those with at least an associate's degree (KS Dept. of Labor).

As Secretary of Commerce Pat George recently noted at the Kansas Workforce Summit, 90% of the students who graduate from a Kansas community or technical college stay in Kansas following graduation and are employed in our state's workforce. As you'll see in the attached enrollment document, 85% of the students enrolled under the provisions of this law attend one of the state's community or technical colleges. Legislators who are truly serious about growing the state's economy should take this compelling data to heart before voting on House Bill 2006.

The Board supports this law because these students have done everything we've asked of them and more. After arriving in this country at no fault of their own, they've become proficient in English, they've earned the grades and achieved the standardized test scores necessary for college admission, and they've signed a legal affidavit attesting to the fact that they intend to become U.S. citizens. What is the justification for punishing these students and jeopardizing the state's economic future?

No one should be fooled into thinking that this bill will address the illegal immigration issue. Will the repeal of the current law stop one person from entering Kansas illegally? Absolutely not. Do the residents of foreign countries base their decisions on where to relocate on the fact that they can or cannot access Kansas colleges and universities at in-state tuition rates? Absolutely not. Those truly serious about addressing our nation's immigration policies should direct their efforts and attention on Congress rather than the innocent children who seek a better life and the opportunity to contribute to Kansas.

As with any public policy issue, we must ask ourselves whether Kansas is a better place with this law on the books or without it. The evidence is clear that a better educated populace contributes greatly to a state's economic growth and overall quality of life. The evidence is also clear that denying individuals access to education is extremely costly and ultimately causes states to decline. Less education equals increased reliance on social services, greater likelihood an individual will be incarcerated, fewer contributions to the state's economy through taxes and overall productivity, and a generally decreased quality of life.

During his 1925 inaugural address, Kansas Governor Ben Paulen (R-Fredonia; two terms: 1925-1929) spoke the following words which still ring true today:

“Better, however, than her rich material resources is the wealth of human resources of Kansas, represented by the splendid population of this state. They and their children constitute the chief wealth of the state. If the Kansas of today is to build for the Kansas of tomorrow, we must provide the best educational opportunity for all the children of the people. It is noteworthy that the states of the Union which have made the greatest progress in wealth and influence have been wise and liberal in provision for the education of all. An enlightened and educated people can best solve the problems of their time. Without trained vision the people perish.”

In summary, this legislation denies individuals and Kansas the opportunities and benefits that education provides. Please do not punish Kansas and these talented young men and women in an attempt to make a political statement. Mr. Chairman, thank you for the opportunity to appear before your Committee today.

**Senate Federal and State Affairs  
Opponent of HB 2006  
Andrea Pardo-Spalding  
March 16, 2011**

Dear Kansas Legislators, Chairman Brungardt and Committee,

It has been seven years since, as a high school senior, I stepped into the Kansas Capitol for the first time to share with an audience my dream of becoming an architect and my desire to contribute to my community.

It's been seven years, and now I have a Master of Architecture and am a proud Kansas homeowner and taxpayer. I share the importance of education everywhere I can, including the local high schools in my community, where I speak to kids who anxiously hear hope for their own futures.

I come before you with my heart full of gratitude for helping me and other immigrant students achieve our dreams. The Kansas Legislature changed my life when they passed the instate tuition policy in 2004. The past seven years have brought hope to immigrant students whose desire is to become the doctors, teachers, veterinarians, businessmen and architects that Kansas needs.

My parents brought me to the United States at age 15. I didn't know English; my family lived in a one-room apartment with no furniture, no phone, no fridge, and no bed, but we did have a nice pink carpet where we slept.

My parents always told me that college was the only way to better my life. I was fascinated with my History, English and Math classes. I translated every word with an old English/Spanish dictionary that I still keep. I graduated third in a class of 240 students in 2004. However, I didn't know until the last minute that I would have an opportunity to go to college. To me, the passage of the instate tuition law in May 2004 seemed like a miracle.

I was able to attend Kansas State University in fall 2004, and the University welcomed me from the first time I stepped on campus to the moment that I crossed the stage in 2009 to receive my Master of Architecture degree and a big hug from the Dean of my College.

As immigrant students, under the instate tuition law, we do not get any government financial help. In my case, my parents had low-paid jobs and could only afford my groceries and some school materials during college. Beginning in my senior year of high school and continuing throughout college, I applied for private scholarships. I graduated debt-free, thanks to so many nights writing essays and generous Kansans who invested in my future as an investment in our state.

For me, it was a miracle that the In-State Tuition law passed in May 2004, but it took another miracle to get me to my graduation day. It wasn't easy, tears and sacrifices were shed from me and my parents. On behalf of those talented immigrant students who are still in college and for those whose hearts yearn for a higher education, I ask you to please keep the instate tuition law.

This nation, and this great state, taught me the meaning of leadership and community service. They made me who I am today. My heart is rooted in the Land of Opportunity. I am now a legal resident and look forward to the day when, soon, I will take the oath to become a citizen of the country that I have long called my own.

I work with an architect drawing commercial and residential plans and volunteer in my community every chance I get. I help to spread the word that saving energy is saving money and work to make our communities more sustainable. In my spare time, I'm renovating the home that my husband and I recently purchased in Kansas City, Kansas. Like many people our age, we have big plans for our future, and we are working hard to make them reality.

**It troubles me when people say we are getting a free ride or that we are costing money to the state. First, I gave well over \$50,000 to the State of Kansas for a college education. Twenty percent of that money came from national private funds which could've gone to Texas or any other state, but since I worked on those scholarship applications I brought that money to the State of Kansas. Second, I have volunteered a lot of my time in many of the public schools in the U.S. 500 district mentoring kids, at retirement homes, for voting registration; even raising funds so that legal residents and citizens have more scholarship opportunities. Third, I have my own company and you can be sure I will be paying a lot of taxes. I got a call last summer from a KU architecture graduate looking for work. I am just 24 years old but I believe that one day I will be able to share with you that I was able to provide jobs and many sustainable homes.**

The instate tuition law worked in my life, and it's working in the lives of immigrant students around this state. Ask our college deans, our college professors, our high school counselors and teachers, and you will see we take care of the place we call home. Please don't close the door to opportunity through which brave, dedicated, talented immigrant students have walked over the past seven years in pursuit of success. Please don't kill their dreams, dreams which echo my own.

Thank you,

Andrea L. Pardo-Spalding  
Kansas State University  
Master of Architecture  
LEED A.P.

**Senate Federal and State Affairs**  
**Opposition to HB 2006**  
**Alaide Vilchis**  
**March 16, 2011**

I was driving down Jayhawk Boulevard a week ago, in one of the rare Kansas winter days actually warm enough to roll down your window, and I was overcome with sadness. I began to think about the memories I made on the University of Kansas campus and all that I had learned. For ten years of my life I was an undocumented immigrant but, thanks to my education, I seldom felt like someone who did not belong in the United States. It was in between those buildings and in those classes that I began to see myself as someone who could truly influence this world and, hopefully, make my fellow Kansans proud. Driving that day, it saddened me to know that there is a risk that a young woman in my home-state will never have the chance to realize her potential.

I moved to the state of Kansas when I was 14 years old with an English proficiency that placed me at an intermediate level of English as a Second Language classes. When I graduated high school I was taking Advanced Placement English classes without the college credit because I did not think I would be able to attend a university in the United States. The same year I graduated, the in-state tuition law passed in Kansas. At the time, I had no idea that this law would become such a big part of my life that, years after getting my undergraduate degree, I would still remember the bill number: House Bill 2145.

Every semester, as I signed an affidavit promising to become a legal resident when eligible, I felt grateful that someone saw value in my education. It reminded me that studying at the University of Kansas was a privilege.

I graduated from KU in four years with a major in journalism, one in international studies, and a minor in philosophy. Yet one of the greatest opportunities that the in-state tuition law gave me was the possibility to grow into the person that I am today. It made me question my own views and, most importantly, empowered me to stand up for what I believe. Aside from learning how to write research papers in 2 days or less, I figured out the adult I wanted to become. My college experience, I know, does not seem much different from that of most college students. Maybe that's the point.

When Kansas legislators passed the in-state tuition law, they opened a door for undocumented immigrants to get a higher education, but they also gave the state the opportunity to create active and productive members of this society. In the classrooms and dorm rooms, I felt no different than my peers. In the stands of Allen Field House, I saw no difference in the student next to me as we swayed together singing the Alma Mater. Effortlessly, education made me part

of a community. As I continue my education and get my masters degree, I want it to benefit the society that allowed me to discover my love of learning. As I work and pay taxes in Kansas, I recognize that I'm an important part of a state that is my home. As I look forward to the day, very soon, when I will take the oath to become a U.S. citizen, I think about how many other immigrant youth share my dreams and, I hope, may walk a similar path.

Today, I am proud of my hard work and all of my accomplishments. I am indebted to the teachers and professors who have taught me so much. I am also grateful that Kansas elected officials believed that education is always an asset to a community. They saw beyond my past and gave me an opportunity for a future.

The last time the in-state tuition law was challenged I was a Sophomore at KU. I wrote thank you emails to the legislators in my county after the challenge did not pass because they had voted for it. I know that the students who use this law are often described as entitled, but I always felt thankful to all the legislators who voted for my education. Every single vote against past repeals, allowed me to stand here today.

I am eternally thankful that elected officials believed that giving bright and hard-working young people a chance to contribute is good policy. And I live every day making sure that I prove them right.

**Ms. Alaide Vilchis**

**Lawrence, Kansas**

**University of Kansas Alumnus**

**Class of 2008**

**Senate Federal and State Affairs Committee  
Testimony in Opposition to HB 2006  
March 16, 2011  
Sister Therese Bangert  
Sisters of Charity of Leavenworth**

Chairman Brungardt and members of the Committee,

I'm Sister Therese Bangert, here today to speak for the Sisters of Charity of Leavenworth. I would share with you that our Community, the SCLs, is two years older than the State of Kansas. We celebrated our 150<sup>th</sup> birthday two years ago.

As women of the Church and of the Gospel we've been part of educating Kansas children all of these years. Our Constitution, which sets a framework for our lives, states that the very spirit of our founding Sisters was born within the immigrant and pioneer spirit of the late 1850's. So being concerned for educating immigrants has been part of our service for 152 years.

I will leave to the immigration lawyers to explain the complicated answers about why the children who qualify for instate don't have citizenship when they graduate from high school. I do know that it is through no fault of their own. And I know that their dreams and aspirations mirror those of immigrants who for generations have come to Kansas to better their own lives and, in that process, to enrich our lives.

The powerful/graceful testimony that you hear today from two young women who have benefited from this policy speaks louder than anything I can say.

I ask you to reject this renewed effort to repeal the policy of instate tuition to the schools within the Kansas Board of Regents.

Thank You for listening to me. You have my prayers as you continue the important legislative work that is the task of this 2011 Session.



(10)

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March 15, 2011

House Federal and State Affairs Committee  
Chairman Steve Brunk  
10<sup>th</sup> and Jackson  
Topeka, KS 66612

RE: House Bill 2006

Dear Chairman Brunk and Committee Members:

Thank you for taking the time today to hear testimony regarding HB 2006 that proposes to repeal Kansas' law granting in-state tuition to undocumented Kansas Youth. My name is Angela Williams; I am an attorney practicing in the Kansas City area. I practice in both Kansas and Missouri and my practice is primarily immigration. I attended Baker University for undergrad and have a Masters from the University of Kansas in Latin American Studies. My law degree is from the University of Missouri in Kansas City. I have been practicing since 2002. I am a member of a variety of advocacy groups related to immigration as well as a member of the American Immigration Lawyers Association both nationally and locally. I am also Vice Chair of the Missouri Bar Immigration Committee. I have written several articles published in Missouri Lawyers Weekly about immigration issues and I have presented at numerous conferences for Attorneys and Community Members on the subject of immigration. The Kansas and Missouri chapter of the American Immigration Lawyers Association has over 150 members. We represent a vast number of individuals and businesses in their immigration matters. One of the very hardest kinds of case we as attorneys see are those cases involving children and young people caught in our immigration system that did not contemplate their presence when it was written. I am here today to oppose HB2006.

As I have watched the national and local debate over immigration over the last few years it has become clear to me that there is a general misunderstanding of our current immigration system and the lack of options most of these students have within our current system to "get legal." I constantly hear slogans like "anchor babies" "illegal means illegal" and "get in line and do it right." The problem is that these slogans at best vastly oversimplify a very complex problem and at worst spread misconception, misunderstanding and outright lies about the system. The fact is, most of these students have no way to "get legal" at the present time. Long residence, good grades, intelligence, commitment to the state where they live or even the United States, the desire to contribute to the economy and our society play no part in whether a student qualifies for residency or any other type of non-immigrant visa. These students are literally stuck. Their parents brought them here to the United States sometime when they were mere babies to give them a better life and a better education. These students had no part in the decision to enter our country without inspection or to overstay their tourist visas. These students now are graduating from high schools in Kansas after living in Kansas for many years or in some cases practically their whole lives. I have several clients in this situation who have no memory of their birth country and a few that do not even read or write in the language of their birth country. These students for all intense and purpose are Kansan. They identify with our culture in the United States; they speak English. Their lives and futures are here. And yet they find themselves stuck. While their classmates are picking out their colleges they are wondering if they will be able to go.

I have heard people say that these students should go back "home" and apply for a student visa or "get in line" and immigrate legally. The fact is these students will not qualify for a student visa or any other type of non-immigrant visa, like a work visa or exchange visa because of their time spent in the United States and their

connection to the United States. In order to qualify for a non-immigrant visa, like a student visa, you have to not only prove you have been accepted to a college and can afford to pay tuition/room/board but also that you have the intention to return to your home country after you are done studying. As these students have no ties to their country of birth and have long and deep ties to the state of Kansas and the United States they will not be able to meet this burden. They would face the same hurdles in proving their intention to return to their birth country if they were to apply for any other type of non-immigrant visa like a J visa for exchange visitor or any of the many work visas that are available. Someone who has never lived in a certain country cannot possibly show his or her intention to return there in an interview at the consulate.

However, the insurmountable problems encountered in our non-immigrant visa system should not be taken to mean that these students would never be able to gain residency or legality. Just because a student visa or other non-immigrant visa is unavailable to them does not mean it would be a waste of resources to educate these young minds. There are many students that have benefited from the opportunity to go to college in Kansas who have, in fact become Lawful Permanent Residents. The fact is, our immigration system and a person's path to US Citizenship is long, arduous and difficult. Many of these young people are beneficiaries or derivative beneficiaries of family based petitions that have yet to be adjudicated. For example the Petition by a US Citizen for his or her brother or sister includes that brother or sister's spouse and children. However, depending on what country the beneficiary was born in, the wait for even an interview can take between 10 and 22 years. See attached the current visa bulletin. Notice the 4<sup>th</sup> category, which is the sibling of a US Citizen category. For a Mexican born beneficiary, immigration is only working on cases that were received by the service before February 1 of 1996; for a sibling of Philippine decent, the service on working on cases received before March 8, 1988. Another way these student can become residents is through marriage. Many, many people meet their spouse in college. A petition by a US Citizen or a Permanent Resident is the fastest avenue to residency. But whether waiting in the interminable lines of family based petitions or waiting to meet the love of their lives, life does not stop in the meantime. Whether waiting while these petitions languish in USCIS waiting for the priority date to arrive or for Mr. or Ms. Right to arrive, we have a very real situation happening in Kansas to long time Kansas Residents. It is worth the resources to educate these students and give them, who had no part in entering without inspection, the opportunity to attend college. When their petitions finally can be adjudicated, they will enter Permanent Residency educated, politically active and aware, loyal to Kansas, the state who gave them the opportunity to go to college and a productive member of the Kansas Community.

These families have contributed to the Kansas economy for years, working, owning businesses, paying property and sales tax and often even state, federal and local income tax. The kids attend Kansas's grade schools, middle and high schools. Kansas has been a visionary state in the past in its policy of allowing undocumented youth to attend college while they and their families are waiting for their opportunity to apply for residency ensuring that when the petition does finally go through these families will likely stay in Kansas and their children will enter into residency, and eventually citizenship, educated and ready to contribute to the betterment of Kansas and the Nation.

I urge you to vote against the repeal of in-state tuition for these students who want nothing but the opportunity to go to college and make the only home many have ever known, Kansas and the United States a better place. I would welcome any questions. Thank you for the opportunity to voice my opinion in opposition of HB 2006.

Yours very truly,

/s/ Angela L. Williams

Electronically Signed  
Angela L. Williams

## Visa Bulletin For April 2011

Number 31

Volume IX

Washington, D.C.

### A. STATUTORY NUMBERS

1. This bulletin summarizes the availability of immigrant numbers during **April**. Consular officers are required to report to the Department of State documentarily qualified applicants for numerically limited visas; the Bureau of Citizenship and Immigration Services in the Department of Homeland Security reports applicants for adjustment of status. Allocations were made, to the extent possible under the numerical limitations, for the demand received by March 8th in the chronological order of the reported priority dates. If the demand could not be satisfied within the statutory or regulatory limits, the category or foreign state in which demand was excessive was deemed oversubscribed. The cut-off date for an oversubscribed category is the priority date of the first applicant who could not be reached within the numerical limits. Only applicants who have a priority date **earlier than** the cut-off date may be allotted a number. Immediately that it becomes necessary during the monthly allocation process to retrogress a cut-off date, supplemental requests for numbers will be honored only if the priority date falls within the new cut-off date which has been announced in this bulletin.

2. Section 201 of the Immigration and Nationality Act (INA) sets an annual minimum family-sponsored preference limit of 226,000. The worldwide level for annual employment-based preference immigrants is at least 140,000. Section 202 prescribes that the per-country limit for preference immigrants is set at 7% of the total annual family-sponsored and employment-based preference limits, i.e., 25,620. The dependent area limit is set at 2%, or 7,320.

3. Section 203 of the INA prescribes preference classes for allotment of immigrant visas as follows:

#### FAMILY-SPONSORED PREFERENCES

**First: (F1)** Unmarried Sons and Daughters of Citizens: 23,400 plus any numbers not required for fourth preference.

**Second:** Spouses and Children, and Unmarried Sons and Daughters of Permanent Residents: 114,200, plus the number (if any) by which the worldwide family preference level exceeds 226,000, and any unused first preference numbers:

A. **(F2A)** Spouses and Children: 77% of the overall second preference limitation, of which 75% are exempt from the per-country limit;

B. **(F2B)** Unmarried Sons and Daughters (21 years of age or older): 23% of the overall second preference limitation.

**Third: (F3)** Married Sons and Daughters of Citizens: 23,400, plus any numbers not required by first and second preferences.

**Fourth: (F4)** Brothers and Sisters of Adult Citizens: 65,000, plus any numbers not required by first three preferences.

#### EMPLOYMENT-BASED PREFERENCES

**First:** Priority Workers: 28.6% of the worldwide employment-based preference level, plus any numbers not required for fourth and fifth preferences.

**Second:** Members of the Professions Holding Advanced Degrees or Persons of Exceptional Ability: 28.6% of the worldwide employment-based preference level, plus any numbers not required by first preference.

**Third:** Skilled Workers, Professionals, and Other Workers: 28.6% of the worldwide level, plus any numbers not required by first and second preferences, not more than 10,000 of which to "Other Workers".

**Fourth:** Certain Special Immigrants: 7.1% of the worldwide level.

**Fifth:** Employment Creation: 7.1% of the worldwide level, not less than 3,000 of which reserved for investors in a targeted rural or high-unemployment area, and 3,000 set aside for investors in regional centers by Sec. 610 of P.L. 102-395.

4. INA Section 203(e) provides that family-sponsored and employment-based preference visas be issued to eligible immigrants in the order in which a petition in behalf of each has been filed. Section 203(d) provides that spouses and children of preference immigrants are entitled to the same status, and the same order of consideration, if accompanying or following to join the principal. The visa prorating provisions of Section 202(e) apply to allocations for a foreign state or dependent area when visa demand exceeds the per-country limit. These provisions apply at present to the following oversubscribed chargeability areas: CHINA-mainland born, INDIA, MEXICO, and PHILIPPINES.

5. On the chart below, the listing of a date for any class indicates that the class is oversubscribed

(see paragraph 1); "C" means current, i.e., numbers are available for all qualified applicants; and "U" means unavailable, i.e., no numbers are available. (NOTE: Numbers are available only for applicants whose priority date is earlier than the cut-off date listed below.)

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01MAY04	01MAY04	01MAY04	15FEB93	01APR95
F2A	01APR07	01APR07	01APR07	01JUL06	01APR07
F2B	15APR03	15APR03	15APR03	15JUL92	01DEC99
F3	15MAR01	15MAR01	15MAR01	08NOV92	01JAN92
F4	01FEB00	01JAN00	01FEB00	01FEB96	08MAR88

\*NOTE: For April, F2A numbers **EXEMPT from per-country limit** are available to applicants from all countries with priority dates **earlier** than 01JUL06. F2A numbers **SUBJECT to per-country limit** are available to applicants chargeable to all countries **EXCEPT MEXICO** with priority dates beginning 01JUL06 and earlier than 01APR07. (All F2A numbers provided for MEXICO are exempt from the per-country limit; there are no F2A numbers for MEXICO subject to per-country limit.)

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C
2nd	C	22JUL06	08MAY06	C	C
3rd	22JUL05	01MAR04	08APR02	08MAY04	22JUL05
Other Workers	22JUL03	22APR03	08APR02	22JUL03	22JUL03
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5th	C	C	C	C	C
Targeted Employment Areas/Regional Centers	C	C	C	C	C
5th Pilot Programs	C	C	C	C	C

The Department of State has available a recorded message with visa availability information which can be heard at: (area code 202) 663-1541. This recording will be updated in the middle of each month with information on cut-off dates for the following month.

Employment Third Preference Other Workers Category: Section 203(e) of the NACARA, as amended by Section 1(e) of Pub. L. 105-139, provides that once the Employment Third Preference Other Worker (EW) cut-off date has reached the priority date of the latest EW petition approved prior to November 19, 1997, the 10,000 EW numbers available for a fiscal year are to be reduced by up to 5,000 annually beginning in the following fiscal year. This reduction is to be made for as long as necessary to offset adjustments under the NACARA program. Since the EW cut-off date reached November 19, 1997 during Fiscal Year 2001, the reduction in the EW annual limit to 5,000 began in Fiscal Year 2002.

#### B. DIVERSITY IMMIGRANT (DV) CATEGORY

Section 203(c) of the Immigration and Nationality Act provides a maximum of up to 55,000 immigrant visas each fiscal year to permit immigration opportunities for persons from countries other than the principal sources of current immigration to the United States. The Nicaraguan and Central American Relief Act (NACARA) passed by Congress in November 1997 stipulates that beginning with DV-99, and for as long as necessary, up to 5,000 of the 55,000 annually-allocated diversity visas will be made available for use under the NACARA program. **This reduction has resulted in the DV-2011 annual limit being reduced to 50,000.** DV visas are divided among six geographic regions. No one country can receive more than seven percent of the available diversity visas in any one year.

For April, immigrant numbers in the DV category are available to qualified DV-2011 applicants chargeable to all regions/eligible countries as follows. When an allocation cut-off number is shown, visas are available only for applicants with DV regional lottery rank numbers **BELOW** the specified allocation cut-off number:

Region	All DV Chargeability Areas Except
--------	-----------------------------------

# **Kansas Families for Education**

## ***Demanding Excellent Public Schools for ALL***

### **Testimony HB2006**

**Senate Committee on Federal and State Affairs – March 16, 2011**

**Kathy Cook, Executive Director -Kansas Families for Education**

Mr. Chairman and members of the committee, thank you for the opportunity to address you this afternoon. I am Kathy Cook, Executive Director for Kansas Families for Education and I appear today to oppose this legislation. We are a statewide organization made up of educators, parents, taxpayers, students, and other Kansans committed to equity and excellence in our public schools.

We are talking about young people who are residents of this state, whose parents pay taxes, and who pay taxes themselves. These are young people who have achieved the graduation requirements of a Kansas high school, which is no small feat, given our state's high educational standards and the poverty in which many of these young people live. And these young people are PAYING tuition at our universities.

We contend that to deny students access to higher learning is not only detrimental to them as individuals, but detrimental to our state and our economy. Our business community is faced with many challenges and our businesses must be equipped with a well educated workforce prepared to meet those challenges. Our best strategy for ensuring that we will have the human capital we need in the future is to grow it ourselves, and we negate the importance of a well educated workforce when we attempt to deny Kansas students, any Kansas student, an opportunity for a college education.

If these students are denied in-state tuition it would take dollars away from our already under funded higher educational institutions. Many of the students are only able to afford higher education at the in-state cost, and could not attend or spend their money at Kansas universities if charged the out of state tuition rates.

The Kansas instate tuition law has been challenged in court on numerous occasions and upheld every time. We see no logical, rational, or legal reason to repeal in-state tuition. In fact, we maintain that education is a basic human right and the bedrock of our success as a state. We believe that the majority of Kansans embrace our immigrant population and want the students that are sitting side by side with our children in our K-12 classrooms to have the same opportunities to live the American dream by attending post secondary institutions.

I urge you to oppose House Bill 2006 and show your support for the love of freedom and the American Dream, a dream in which these immigrant children fervently share. Thank you.

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



1420 SW Arrowhead Road • Topeka, Kansas 66604-4024  
785-273-3600

Testimony before the  
**Senate Federal and State Affairs Committee**  
on  
Testimony on **HB 2006** – Repealing In-state Tuition for Certain Students

by  
**Jim Edwards, Assistant Executive Director - Operations**  
Kansas Association of School Boards

March 16, 2011

Mr. Chairman, Members of the Committee,

Thank you for the opportunity to speak to you today on behalf of the Kansas Association of School Boards. For the benefit of the committee, especially new members, KASB is an organization of the locally-elected school boards which the Kansas Constitution makes responsible for “maintaining, developing and operating” public schools. We also represent the boards of other local education agencies. Each board decides every year whether to belong to our association, use our services and take part in our governance process. Each member board is entitled to vote in our Delegate Assembly.

KASB’s position on this issue dates back to discussion of the federal DREAM Act, supported by, among others, then Senator Sam Brownback. Based on concerns about the responsibility of school districts for the education of undocumented children at the time the Kansas Legislature was debating and finally adopted the current law, our Delegate Assembly adopted the following policy position:

**Tuition for Undocumented Immigrant Children**

KASB supports legislation that would allow students who have attended Kansas high schools for a reasonable period of time and successfully completed a high school program and other requirements for college admission to pay resident tuition rates, regardless of whether or not these students are citizens of the United States.

We therefore oppose **HB 2006**, which would repeal this benefit. The reasons our members adopted this position are both practical and ethical.

*Over Please*

Sn Fed & State  
Attachment 12

3-16-11

**1. Enforcing immigration law should not punish the innocent.**

To punish children for the actions of their parents seems unjust. To punish them by diminishing their educational opportunities is to inflict that punishment on even further generations. Many Kansans are legitimately concerned that current U.S. immigration practices undermine the "rule of law." But this bill would affect young people whose only "crime" was to follow their parents to what may be the only country they have ever known.

Furthermore, passing this bill would do nothing to enforce the "rule of law." It would not remove these students from our state. They would still be allowed to attend Kansans colleges. It does not say, "You are here illegally so you must leave." It simply says, "You must pay far more to continue your education here than your classmates, friends and neighbors who walked across the same high school platform and received a Kansas diploma."

**2. Public schools are legally responsible for the educational attainment of all children, regardless of citizenship.**

Under U.S. Supreme Court decisions, school districts are required to provide educational services to children who reside in the district, regardless of their citizenship status. These students must be tested in reading and math under No Child Left Behind, and they count for participation and proficiency rates. They also count toward district drop-out and graduation rates. If these undocumented students are not attending, learning and graduating, schools and districts can miss the Adequately Yearly Progress targets required by NCLB and state accreditation requirements and be subject to sanctions.

We have heard elected officials argue both for ending postsecondary education services for illegal immigrants and cutting the Kansas drop-out rate to boost graduation levels. Our members firmly believe you cannot do both. In fact, the Hispanic population is the fastest-growing group of students and the most likely to drop-out. KASB adopted our position on in-state tuition out of the belief that if undocumented students see no benefit to staying in school, such as preparing for college or other postsecondary training, it will be much harder to keep them attending and engaged in school.

**3. Kansas needs more, not fewer workers with higher skills.**

Kansas taxpayers have already spent an average of \$12,000 per year educating these children. The in-state benefit is conditioned upon seeking American citizenship. For all these reasons, KASB believes it makes neither economic nor moral sense to erect higher barriers to postsecondary education for the children who would lose benefits if **HB 2006** is passed. For that reason, we urge you reject this measure.

Thank you for your consideration.

Good morning, my name is Maria Magdaleno and I'm with sunflower community action. Before I begin I would like to say thank you for your time and that I am against -HB2006

I would like to start with part of a quote By Stevenson Jr.

"If we value the pursuit of knowledge, we must be free to follow wherever that search may lead us."

Ever since I can remember I dreamed of going to college and becoming a social worker. In high School my friends began looking for colleges, they began questioning me as to where I had applied. My parents informed me that I was not able to continue on to college due to my immigration status. My parents had been waiting what was then 14 years for my name to move to the top of the list, at that point I looked back at all my effort and hard work and thought "what was the point." I began to understand why most immigrant kids drop out. Like them, I began to see no future option other then flipping burgers and living in what is considered to be "the hood." The most difficult part was that I wanted to give back much more than that to my country. See from my point of view this is and has always been my country. I have grown up here since I was two years old. I have sung the pledge of allegiance, since pre-k. I get goose bumps when I hear our national anthem because I take to heart these beautiful verses which inspire the belief that this is the land of opportunity and of the free. If it were not for the opportunity of in state tuition for immigrants, I don't know where I would be today.

There are three points on which I would like to comment on. First of all I hear that with this law we are asking for more privileges then those who are U.S. Citizens, yet we are not. We are asking to pay equal tuition as all other residents of the state in which we live in and to which we pay taxes.

Another point is that people focus on the fact that it gives legal residency to undocumented students, let me clarify this does not mean they receive legal immigration status, this just states that the student lives in the state of Kansas.

Third of all I have listened to the argument that allowing immigrant students to receive instate tuition is expensive to tax payers. I think to myself "seriously?" The reality is that the state is making money that otherwise it would not be making. There are about 413 immigrant students attending a higher education institution through this program with a high percentage of them already in the system to becoming documented citizens. Do you honestly think that these 413 students would be in college if they had to pay more? The answer is no, from my personal experience, an immigrant student would not be allowed to pay out of state tuition. They would have to qualify into the student foreign exchange program and pay as if they were a foreign exchange student. Immigrant students who live in the United States and have attended high school in the United States will probably not qualify for this program. Would the message be that the state would prefer for immigrant students not to contribute at all towards these institutions of higher education? Would the state rather accept lower enrollment numbers before allowing immigrant students the opportunity of instate tuition to continue higher education?

Finally I believe that well educated students will become positive contributing members of society. Now at the age of 26 with a legal immigration status, I work in a class room full of children ready to learn. We encourage them to strive for higher education. I look at the faces of my students aspiring for greatness, I wonder how many will be lost if we close this window of opportunity. We've observed numerous consequences due to the lack of support and opportunities for immigrant students to achieve higher education such as gangs violence, teen pregnancy, high school drop outs who will in turn be the future uneducated adults of this state. Please don't stop these students from their pursuit of knowledge, give them the freedom to go where ever their search will lead them, it is up to us to save this opportunity for them, because we don't know if one day they will save us.



In state tuition for our undocumented youth is a hope-filled, visionary dream, an act of faith that benefits, not only our undocumented young people, but also all Kansans and all Kansas communities.

On January 11, 1989, President Ronald Reagan explained the City upon a Hill that he imagined and had spoken of throughout his career. He said, "... in my mind it was a tall proud city built on rocks stronger than oceans, wind-swept, God-blessed, and teeming with people of all kinds living in harmony and peace, a city with free ports that hummed with commerce and creativity, and *if there had to be city walls, the walls had doors and the doors were open to anyone with the will and the heart to get here.*"

For thirty years I have ministered in the Central Avenue area of Kansas City, Kansas. From the late 1960s to the mid-1990s the Central Avenue area was in steep decline. People with resources kept leaving. Businesses were shutting down and moving away. Absentee landlords were exploiting quality homes. Our neighborhood was on its way to becoming a ghost town. In 1989, city planning students and their professor from Kansas State predicted as much. Their prediction was that by the year 2000 our neighborhood would be virtually empty.

But in the mid-1990s things started to change. Our neighborhood began to be repopulated by immigrants, many of them undocumented. Homes began to fill up with families. Small businesses, bakeries, restaurants began to fill the vacant storefronts along Central Avenue. Churches like ours that were open to the movement of God's Spirit began to see a future to staying in the neighborhood. Why? Because the greatest resource we could hope for was coming back to us; human beings, families with an indomitable spirit, a hard work ethic and entrepreneurial vision. All of these are strong Kansas values and God was bringing them back to our neighborhood in abundance.

We do not want to go backwards. Repealing in state tuition for Kansas children, young people, raised and educated right here in Kansas, is a step backwards. It would be closing one of those doors that President Reagan said could lead us to that great vision of the City upon a Hill.

We all know about the human drain that is happening in communities all over Kansas. Young people are moving away and populations are in decline. Mainstreets from west to east and north to south are suffering. We know that communities cannot thrive and survive without people. Why would we shut a door to talented young people who can and will, if we let them, make our great state a better place to live? Why are we not doing more to welcome new residents into our declining communities? Why are we not opening more doors to young people and hard working families who can revitalize our neighborhoods and communities?

In the last fifteen years I have seen a little bit of President Reagan's City upon a Hill vision come true in and around Central Avenue in Kansas City, Kansas. We are a better community; we are more because of our undocumented Kansas young people and their families. If we shut this door we are not only hurting 'them', we are hurting **us**; because they **are** us. These are **our** children. They are Kansas' future and we will all benefit by keeping this important, visionary door to that future open.

Some people inspire us, give us hope, dream for us and make us want to be better. President Reagan did that with his vision of a God-blessed community teeming with commerce and all kinds of people with doors open to opportunity. We know where a lack of vision takes us; closed doors and ugly statements like we heard two days ago concerning helicopters and pigs. But that's not who we are as Kansans. Let us work toward that God-blessed community President Reagan and so many others have worked to build. In state tuition for our undocumented children is a part of that vision. Keep this door to our future open.



204 SW 8TH AVE • TOPEKA, KANSAS 66603 • PHONE 785-227-9247 • FAX 785-861-7438 • WWW.KSCATHCONF.ORG

March 16, 2011

Dear Members of the Senate Federal and State Affairs Committee:

The Catholic Bishops of Kansas are concerned that passage of HB 2006 would fall heavily on the backs of young adults who, in many cases through no fault of their own, are in our state without legal status, but nonetheless know Kansas as home. For some of these young people, it is the only home they have ever known.

We fully recognize the magnitude of the illegal immigration situation in this country, which is why the Catholic Church has for years implored Congress to reform our immigration system across the board. Immigration is a federal responsibility that simply cannot be addressed coherently by fifty different state policies. Congress has failed to uphold its constitutional responsibilities, and has thus left state policymakers to feel as if they must attempt to manage the situation to whatever extent they can.

However, in attempting to compensate for congressional inaction, states should take care not to pursue remedies that fail to bring us closer to a solution to our immigration challenges, or even exacerbate them. We fear that this legislation will have little effect except to make certain young people's lives more difficult.

We ask you to give special consideration to the fact that this bill directly targets the children of illegal immigrants. Is this really the best way to approach immigration reform? In many cases, these young people had no say in the decision to migrate to Kansas. Some have lived here since a very young age, in some instances so long as to not have any memory of the short time they spent anywhere else. Would our state somehow be better served if these individuals are not educated?

Please extend your compassion to these young people. They already live without peace of mind. They were brought here by their parents, and are ever fearful of the moment when they might be taken away from the only place they think of as home. Surely there are better solutions

MOST REVEREND MICHAEL O. JACKELS, S.T.D.  
DIOCESE OF WICHITA

VERY REVEREND BARRY E. BRINKMAN, J.C.L.  
DIOCESAN ADMINISTRATOR - DIOCESE OF SALINA

MOST REVEREND JOSEPH F. NAUMANN, D.D.  
*Chairman of Board*  
ARCHDIOCESE OF KANSAS CITY IN KANSAS

MOST REVEREND JOHN B. BRUNGARDT, D.D.  
DIOCESE OF DODGE CITY

MICHAEL M. SCHI  
EXECUTIVE DIF

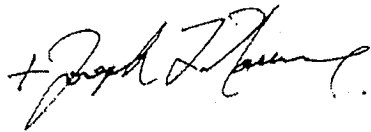
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3-16-11

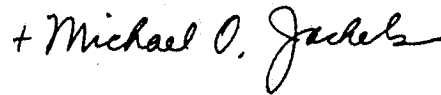
available to us for reform of our dysfunctional immigration system. Because the problem has been left to fester so long, none will be easy or painless. But we can do better than to make young people pay for circumstances beyond their control.

Thank you for your consideration.

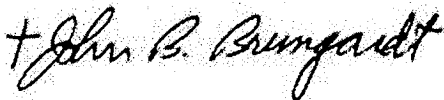
Yours in Christ,



Most Reverend Joseph F. Naumann  
Archbishop of Kansas City in Kansas



Most Reverend Michael O. Jackels  
Bishop of Wichita



Most Reverend John B. Brungardt  
Bishop of Dodge City



Very Reverend Barry E. Brinkman  
Diocesan Administrator of Salina

16

# **Written Testimony to the Senate Federal and State Affairs Committee**

**Testimony on  
HB 2006**

March 16, 2011

Submitted by:

Ben Gerrard  
University of Kansas  
School of Social Work

March 16, 2011

Chairman Brungardt and Honorable Members of the Senate Federal and State Affairs Committee,

My name is Ben Gerard and I am a student with the University of Kansas, School of Social Welfare. I represent a group of concerned University of Kansas Social Welfare students who are also members of the *You Don't Speak for Me* campaign opposing HB 2006. We reject the claim that current Kansas Law disadvantages American students. Thank you for the opportunity to share my concern about the future of post-secondary education for the graduates of Kansas' high schools, including those whose parents are undocumented immigrants.

As part of my education, I have spent much of the past year working in the USD 290 Ottawa school district as a school social worker, as well as studying antisocial behavior in adolescents. During this process, I have learned how difficult it can be to motivate students to overcome adversity and aim for higher education. This difficulty is increased for students who come from impoverished backgrounds, or are currently living in poverty. Not only is poverty linked to reduced academic performance; it is also linked to antisocial behaviors such as substance abuse<sup>1</sup>.

Conversely, success in education is not only a protective influence against these outcomes, it is also a clear pathway out of poverty<sup>2</sup>. Thus, taking away in-state-tuition for the children of Kansas-based immigrants, many of whom are stridently attempting to escape poverty, drastically increases their likelihood for exhibiting antisocial behavior and becoming impoverished burdens to Kansas society, rather than the shining contributors to the Kansas economy that many are becoming, as demonstrated by the 400 students currently utilizing this law and the successes of those who have graduated under its provisions.

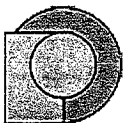
This is not just my opinion. It is based in empirical evidence and it is a view shared by many of our fellow Kansans. In an attempt to demonstrate this support, I launched an online petition (Defeat HB 2006) a mere two weeks ago: In that short time over 270 Kansans have signed on. Many of the signatories are Kansas University students and faculty, as well as concerned constituents.

The petition specifies that it is only for Kansas' residents and all signatures are verifiable by email. It is still active (at [www.petitiononline.com/hb2006](http://www.petitiononline.com/hb2006)) and continuing to accumulate signatures. As a college student in Kansas, it is important to me that the Kansas Legislature recognize that this attempt to repeal Kansas' current instate tuition policy is not in the best interests of current and future citizen students in Kansas, all of whom benefit by living and studying in a state with a more well-educated populace.

Thank you for the opportunity to submit this written testimony and this petition for your consideration.

---

<sup>1,2</sup> Arthur, M.W., Brown, E.C., & Briney, J.S. (2006). *Relationships between student substance use, risk, and protection in Kansas Schools and Students' Academic Test Scores*. School of Social Work, University of Washington, Washington. Retrieved from <http://beta.ctcddata.org/docs/KansasAchievementReport.pdf>



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Community College: KC, MO Flexible schedules for adult students. Degree Programs. Reg info [www.Heritage-Education.com](http://www.Heritage-Education.com)

## Defeat HB 2006

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To: Kansas Legislature

To: Kansas Legislature

We agree that:

\* It is counterproductive to the State's interests to allow HB 2006 to repeal the 2004 Kansas Law that allows the children of undocumented immigrants to access in-state tuition in order to go to college, if they have lived in Kansas for 3 years, graduated from a Kansas high school (or received their G.E.D. in Kansas), and sworn to apply for citizenship as soon as they are eligible.

\* The 2004 Law is not unfair to US citizens paying out-of-state tuition. In fact, U.S. citizens have an easier standard to meet to become eligible for in-state tuition in Kansas.

\* Encouraging these immigrants to complete higher education contributes to the Kansas economy, by creating a more highly skilled workforce, contributing more tax dollars and attracting high technology employers to the state.

\* The 2004 law does not contravene federal law. States' efforts to extend in-state tuition to immigrant students in this way have been upheld by the Federal District Court in Kansas in 2005, the Tenth Circuit Court of Appeals in 2007, and the California Supreme Court in 2010.

\* This is not an immigration issue; this is a human rights issue.

\* For these and other reasons, we call on our Kansas legislators to defeat any measure that sacrifices access to education in order to unfairly and unwisely target immigrant children.

Sincerely,

The Undersigned





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The Defeat HB 2006 Petition to Kansas Legislature was **created by and written by Benjamin Gerrard** (bgerrard@gmail.com). This petition is hosted here at [www.PetitionOnline.com](http://www.PetitionOnline.com) as a public service. There is no endorsement of this petition, express or implied, by Artifice, Inc. or our sponsors. For technical support please use our simple Petition Help form.

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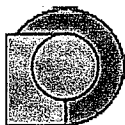
- |     |                      |  |                                    |
|-----|----------------------|--|------------------------------------|
| 14. | Sara Chavira         |  |                                    |
| 13. | Taylor Stivers       |  |                                    |
| 12. | Sarah M Gillooly     |  | 66211                              |
| 11. | Lalo Munoz           | No matter what we may think about illegal immigration, or Congress' inability to act, the children of immigrants and taxpayers should not be punished for the acts of their parents. These children are not the problem, they are the SOLUTION. Instate Tuition will allow them to prove it. | Topeka, Kansas 6607                |
| 10. | Amanda Sprague-Brunk |  | 3121 Longhorn Dr.; 66049           |
| 9.  | Joey Sprague         | the children of taxpayers--documented or not-- should have the benefits of those taxes   | 3121 Longhorn Drive 66049          |
| 8.  | Emily Wilcox         |  | Manhattan, KS                      |
| 7.  | Sarah McConnell      |  |                                    |
| 6.  | linda watts          | If these children are going to be citizens of the US, they need to be educated so they can get a good job and pay taxes.   | 1817 learnard, Lawrence, Ks        |
| 5.  | Sam Billen           |  |                                    |
| 4.  | Sarah Kunen          |  |                                    |
| 3.  | Courtney Johnson     |  | 66044                              |
| 2.  | kristin vernon       |  | 66044                              |
| 1.  | Ben Gerrard          | These children deserve a chance to go to college.  | 502 Wisconsin St Lawrence KS 66044 |

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## Defeat HB 2006

**We endorse the Defeat HB 2006 Petition to Kansas Legislature.**

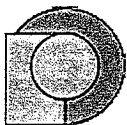
Read the Defeat HB 2006 Petition

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Name	Comments	Address; Zip Code
25. Heather Lee		
24. Alaide Vilchis		
23. Linette McJunkin		66046
22. Jessica Whitworth	Everyone deserves an equal opportunity to attain a higher education....EVERYONE!!!	
21. Autumn Ayers		66049
20. Mona Kassim		
19. Claudia Alterman		66044
18. Julie Steinbach		66202
17. Robyn Long		
16. Jacqueline Saavedra		3011 N. 64th Terrace
15. Daniel Freyre		

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**Health Care Reform Course** Key elements, timeline and impact on employee benefit plan design [www.ifebp.org/elearnii](http://www.ifebp.org/elearnii)



## Defeat HB 2006

**We endorse the Defeat HB 2006 Petition to Kansas Legislature.**

Read the Defeat HB 2006 Petition

Sign the Defeat HB 2006 Petition

Name	Comments	Address; Zip Code
75. Shannon Gorres		1145 Pennsylvania St Lawrence KS 66044
74. Kelsey Cherland		66049
73. Michelle Hindman		66049
72. Shannon Reid	Please don't punish children who want an education based on how they got to this country - it's simply unfair.	Lawrence, Kansas 66044
71. Sarah Stern		66049
70. Toni Detherage		
69. Clarice Amorim		66044
68. Nancy Jorn		66047
67. <i>line voided</i>		
66. Jaime Calderon	As a former teacher I just LOVE students that work hard and are APPRECIATIVE!	66049
65. Pat Wittry		

**Scott Walker Poll** Do you support Governor Walker? Vote here now. [news1.newsmax.com](http://news1.newsmax.com)

**Health Care Reform Course** Key elements, timeline and impact on employee benefit plan design [www.ifebp.org/elearnii](http://www.ifebp.org/elearnii)

64. Rosalea Carttar		Lawrence Kansas 66044
63. Elizabeth Stephens Edma		2231 Learnard

62. Delgado  
Solorzano Avenue, Lawrence  
Kansas 66046
61. Raymond  
Burke  
Matthew  
60. Allen  
Fearing PO Box 564, Eudora,  
KS 6602
59. Emilia  
Barbosa 1817 Myers Court  
Lawrence, KS 66044
58. Dale Urie
57. Bethany Christiansen I agree especially with the above point, that this is a human rights  
issue, rather than simply an immigration issue.
56. James G. Calderon This is a Win-Win for Everybody!
55. Joe Orosco 1343 Tennessee #32  
Lawrence, KS 66044  
66046
54. Lora Jost  
Aaron  
53. Stables Lawrence, KS 66046
52. Paula Shaver Please!! Education helps everyone!! 1220 Delaware St. #9  
Lawrence, KS 66044
51. Kelly Cosby This repeal is completely unnecessary and simply a preposterous  
measure to prevent worthy students from receiving adequate and equal  
education. 4100 W 24th Place,  
H10, Lawrence, KS  
66047  
66044
50. Randall Pine  
Sara
49. Henderson  
White
48. Kris Kohnke please, please consider!
47. Matt  
Steinbacher  
johnathan
46. kirk  
angermeier 1806 new hampshire,  
lawrence, ks 66044
45. Anthm Grey  
DuttonHurt
44. Lydia Diebolt Please give these young men and women the opportunity to attend a  
university in our state!
43. Cynthia  
Moneymaker
42. Hannah  
Crowl
41. David  
Howell Lawrence, 66046

40. Courtney Kivett  
39. Kate MoneyMaker  
38. David Lisenby 66204  
37. Miro Heyink Let's not create a second class of citizens 2225 Troup Ave  
36. Mina  
35. Diana Martinez  
34. Angela Allard  
33. Danielle Quigley  
32. Elliott Krause 66044  
31. Thurman G. Williams Jr. 66502  
30. Gary Brunk  
29. Yahaira Carrillo  
28. erin Fleming 66044 66044  
27. Liz Ramirez  
26. Adam Nicholson 220 Summertree Ln, 66049  
25. Heather Lee

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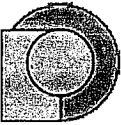
The Defeat HB 2006 Petition to Kansas Legislature was **created by and written by Benjamin Gerrard** (bgerrard@gmail.com). The petition is hosted here at [www.PetitionOnline.com](http://www.PetitionOnline.com) as a public service. There is no endorsement of this petition, express or implied, by Artifice, Inc. or our sponsors. For technical support please use our simple Petition Help form.

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## Defeat HB 2006

We endorse the Defeat HB 2006 Petition to Kansas Legislature.

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Name	Comments	Address; Zip Code
125. Mary Kidd		Topeka, KS 66604
Andrea		
124. Peterson-Howell		
123. John P. Connolly		66044
Roy		
122. Michael Johnson		
121. Rejane Cytacki		
120. Sondra Groene		
119. Momina Sims		64105
118. jennifer groene		
117. Felida Lopez		67002
116. Anna Lambertson		66614
115. Jenn	DEFEAT HB 2006	66073

**Scott Walker Poll** Do you support Governor Walker? Vote here now. [news1.newsmax.com](http://news1.newsmax.com)

**Health Care Reform Course** Key elements, timeline and impact on employee benefit plan design. [www.ifebp.org/elearnit](http://www.ifebp.org/elearnit)

114 Margaret

114.	Burk	
113.	Linda Haller	
112.	Angela Valdivia	
111.	Kimberley Kreicker	66044
110.	Elizabeth Ault	Kansans need this 66045
109.	Susan Givens	Please do NOT pass this bill! 66046
108.	Elyse Towey	
107.	Brett Groene	
106.	Anakaren Ibarra	
105.	Brent Metz	
104.	Madison Huber	11961 Oakmont Apt 1122 Overland Park, KS 66213
103.	Steve Ramirez	66047
102.	Precious Porras	66604
101.	Stephanie Crandon	66044
100.	Jennifer Stone	
99.	Kris Matthews	
98.	Dr. Leonard Ortiz	I don't think Jesus would stand at the Kansas border and tell people who are trying to find work, food, and shelter for their children that they are not welcome.
97.	Dan Garrity	
96.	Jose Espinola	Lawrence, KS
95.	Julie Loats	
94.	Alicia Erickson	621 Lyon St Lawrence KS 66044
93.	Donald F. Davidson	1809 SW Webster Topeka KS 66604
	Dagon	

92.	Regan Postma		Lawrence, KS
91.	Dagoberto Heredia Jr.		
90.	Cherie Blanchat		
89.	Pamela Baughman	As a high school counselor, I can attest to the worthiness and the value-added aspect of getting these young people into college!	
88.	Patrick ONeil	Equal Opportunity : We are all immigrants!	66044
87.	Sofia Galarza Liu		66049
86.	Christina Garcia		3424 Silver Ave. Kansas City, KS 66106
85.	Alejandra Centeno		723 Acorn st 66025
84.	Terese Thonus	I am a staff member at the University of Kansas. I am Latina.	Lawrence, KS 66049
83.	Matt Kuhlman		66044
82.	Lydia Leon		
81.	Yajaira Padilla		
80.	Ron Wilson		66047
79.	Emily Richardson		66044
78.	Nancy Espinosa		
77.	Quinn Brabender		
76.	Leslie Newman		66044
75.	Shannon Gorres		1145 Pennsylvania St Lawrence KS 66044

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## Defeat HB 2006

**We endorse the Defeat HB 2006 Petition to Kansas Legislature.**

Read the Defeat HB 2006 Petition

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Name	Comments	Address; Zip Code
175. Anita Curry		
174. Frances Christopher		203 Lake Forest Bonner Springs, 66012
173. Miguel Gonzalez-Abellas		
172. Dawn Moews		66801
171. Matthew C. Campbell		
170. Melanie Stuart-Campbell		66614
169. Claire Kerwin		66044
168. Megan Hurt	Individual human rights supersede immigration status. These students were minors when they were brought to Kansas.	
167. Lee T. Lauridsen	I heartily endorse this petition - Please defeat HB 2006.	66049
166. Esther Weber		
165. Joseph E Munoz		66049



**Scott Walker Poll** Do you support Governor Walker? Vote here now. [news1.newsmax.com](http://news1.newsmax.com)

**Health Care Reform Course** Key elements, timeline and impact on employee benefit plan design [www.lfebp.org/learnit](http://www.lfebp.org/learnit)

164. Tom  
Groene

163. Anna Jenny

162. Rosina  
Aguirre

161. marsha  
buhler

160. Elena  
Rosales

Dawn  
159. Haverkate-  
Ens

158. Patricia  
Cobian

Jerome  
157. Marquez This people deserve an opportunity, they are good students and workers  
Vazquez

156. Stacy  
Mendez

155. Corinne  
Nilsen

154. Jose Lopez This legislation is mean intended

153. Darren klish

152. Fr. Pat Please stop the madness and start doing some serious business!  
Murphy

151. Mary L  
Norris

150. Nina  
Mathew

149. Eunice Lee-  
Ahn

148. Ben <http://www.petitiononline.com/NoHateKS>, [nohatesta@gmail.com](mailto:nohatesta@gmail.com)  
Chappell

1909 W  
Third  
Street,  
Lawrence,  
KS 66044

66044-4261

66047

517 Kansas  
St, 66046

Lawrence,  
Kansas

2215  
Parallel  
Ave.  
KC.KS.  
66104

66006

66044

66049

147. Will Dale		
146. Leticia Gonzalez		
145. Matt Hoge		66103
144. Joshua Rosenbloom		66044
143. Catherine Barrett		66216
142. vanessa braden		
Carolynn		4504
141. Winters-Hazelton	It benefits us all when young adults are college educated.	Roundabout Circle, 66049 Kansas
140. Jessica Edie		
139. Sean Weston		
138. Adam Brazil	This bill is wrong, greatly exaggerating the cost of educating these students	Chanute, KS 66720
137. Andrea Rottinghaus		
136. Chaurice Jacobson		66106
Sister		
135. Therese Bangert		66101
134. melissa warren		
133. Fernando Yaluk		
Kathryn	The young adults that will be negatively affected by this bill are those who were brought to this country without any concept of being illegal or undocument. They have lived in and achieved a high school diploma from a Kansas high school. They should not be treated any differently than those who were born in this country. Do not punish the children for the choices their parents made!	66049
132. Jean Peterson		
131. Diane Mielke		Lawrence, Kansas
130. Diane Mielke		Lawrence, Kansas
129. Brenton K. Sloan		66049
128. Donna Carlson		
127. Alice		754 Sunset

121. Lieberman  
Danielle  
126. Lotton-  
Barker  
125. Mary Kidd

Drive

Lawrence,  
KSTopeka, KS  
66604

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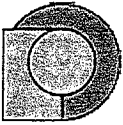
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## Defeat HB 2006

We endorse the Defeat HB 2006 Petition to Kansas Legislature.

Read the Defeat HB 2006 Petition

Sign the Defeat HB 2006 Petition

Name	Comments	Address; Zip Code
225. Polly Revare		polly@revare.com
224. Mark Crawford	These students want to be legal. Currently the system to allow them citizenship is broken, but they still have hope.	605 Jessica Lane, Hugoton Kansas 66049
223. Austin Fitts	Politicians, we've elected you, now please listen to your voters	66049
222. Michelle Henne	This will help prevent society's ills!!	67951
221. Jim Kreider	Education is the key to assimilation, getting out of poverty, and having a strong and informed work force. Let's not risk disenfranchising a portion of our population and bear the huge costs of doing so.	
220. Edgar Hernandez		66212
219. Nicole Selvidge		
218. <i>line voided</i>		
217. KARINA S JIMENEZ		
216. Joel Layton		13200 W 95th Terrace
215. Megan Migliazzo		66046

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**Health Care Reform Course** Key elements, timeline and impact on employee benefit plan design [www.ifebp.org/elearnit](http://www.ifebp.org/elearnit)

214 Maria  
Elena

214. Ladron de Guevara  
213. Fatima 66044  
212. tracy gardner 66605  
211. Margaret K Dagg  
210. Patrick Woods  
209. Donna Hicks  
208. Cambria DeLee  
207. Sharice Davids 66216  
206. line voided  
205. Jana Gibson 64118  
204. Dennis Mersmann  
203. Natalie Peters  
202. Nathan  
201. Maria Donado WE WILL NOT STAND FOR THIS! SELFISH PIGS! FAMILY BREAKERS!  
200. Kevin Athey  
199. Ben Lewis 12001 Nieman Rd. Overland Park, KS 66213  
Aida  
198. Garcia-Franks 66062  
197. Michael Pisciotta  
196. Anna Woods  
195. Rob Topinka 66044  
194. Christian Pinon 66047  
193. Christopher Hernandez 66044  
Dagelio 106 S. Lincoln,

192. <sup>HUGOTON</sup>  
Hernandez Hugoton, KS  
67951
191. Yolanda Hernandez If the in-state tuition is repealed, the first to be affected negatively by this will be the universities because the money undocumented students pay is cash in their pockets. Next would be the schools because it would decrease the number of students in ESL classes and in migrant programs because students would be hopeless and lose interest in school. This would also lead to a higher high school drop out rate, especially for Latino students, and a large and uneducated workforce. Please do not repeal the in-state tuition bill. 106 S. Lincoln,  
Hugoton, KS  
67951
190. Kathryn  
Anne  
George  
Maria Jose
189. Garcia 941 Louisiana St,  
Otero Apt. 203.
188. Justin  
Bergin
187. Yazmin Gamez we demand equal education for all
186. Mary  
Hopkins
185. Nina Sandidge Ê Lawrence, KS  
66044
184. Liliana Meza let's not support the In-State-Repeal 64050
183. Rochelle  
Marsh
182. Eli Gourley 66044
181. Patrick  
Hermesen
180. Alejandra Hernandez- Undocumented students are providing revenue to our state, not taking away. Please give them the opportunity to contribute positively to Kansas. 946 Indiana, Apt.  
4, Lawrence, KS  
66044
179. James Kaberline 1312 W. 22nd  
St. Lawrence, KS  
66046
178. Meredith Tack 66046
177. Jennifer M Weishaar Ê 66044-1069
176. Rachel  
Gadd-  
Nelson  
Anita

214. Ladron de  
Guevara

213. Fatima

66044

212. tracy  
gardner

66605

211. Margaret K  
Dagg

210. Patrick  
Woods

209. Donna  
Hicks

208. Cambria  
DeLee

207. Sharice  
Davids

66216

206. *line voided*

205. Jana  
Gibson

64118

204. Dennis  
Mersmann

203. Natalie  
Peters

202. Nathan

201. Maria  
Donado

WE WILL NOT STAND FOR THIS! SELFISH PIGS! FAMILY  
BREAKERS!

200. Kevin  
Athey

199. Ben Lewis

12001 Nieman  
Rd. Overland  
Park, KS 66213

198. Aida  
Garcia-  
Franks

66062

197. Michael  
Pisciotta

196. Anna  
Woods

195. Rob  
Topinka

66044

194. Christian  
Pinon

66047

193. Christopher  
Hernandez

66044

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192. ~~Rogelio~~  
Hernandez

Hugoton, KS  
67951

191. Yolanda  
Hernandez

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Kathryn  
190. Anne  
George  
Maria Jose

189. Garcia  
Otero

941 Louisiana St,  
Apt. 203

188. Justin  
Bergin

187. Yazmin  
Gamez

we demand equal education for all

186. Mary  
Hopkins

185. Nina  
Sandidge

Ê

Lawrence, KS  
66044

184. Liliana  
Meza

let's not support the In-State-Repeal

64050

183. Rochelle  
Marsh

182. Eli Gourley

66044

181. Patrick  
Hermesen

Alejandra  
180. Hernandez-  
Castro

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946 Indiana, Apt.  
4, Lawrence, KS  
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James  
179. Kaberline  
II

1312 W. 22nd  
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66046

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Tack

66046

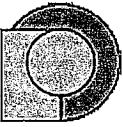
177. Jennifer M  
Weishaar Ê

66044-1069

Rachel  
176. Gadd-  
Nelson

Anita





## Defeat HB 2006

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[Read the Defeat HB 2006 Petition](#)

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Name	Comments	Address; Zip Code
275. Emira Palacios		
274. Matthew Long		225 S HOLYOKE ST
273. Lilly		
272. Jadeen Cook		
271. Melanie Gorges		
270. Paul E. Fowler III		66046
269. Rebecca C. Trapp-Marquez		
268. Ellen LeCompte	Please don't shut these students out. Many have been here all their lives!	66046
267. Vicki Arnett	Please defeat HB 2006	
266. Evan R. Thies		66046
265. Lori Alterman		

**Scott Walker Poll** Do you support Governor Walker? Vote here now. [news1.newsmax.com](http://news1.newsmax.com)

**Health Care Reform Course** Key elements, timeline and impact on employee benefit plan design [www.ifebp.org/elearnii](http://www.ifebp.org/elearnii)

264 Ruth

204. Cousins  
263. Brandy Alterman 66054  
262. Heather Pedersen 66054  
261. Zinora Rillos  
260. Ana Silva  
259. Laura Dungan  
258. Audrey Victor  
257. *line*  
*voided*  
256. Shana Althouse  
255. Jenny Tavares 66617  
254. Joe Coburn 66044  
David  
253. Michael Legg  
252. Rachelle Troxel  
251. L. Paige Houghton  
250. Sheridan Thompson  
249. Robert Brown 1029 New Jersey 66044  
248. Hilda Enoch  
To deny talented, hard-working students the opportunity to attend college because of their parents' efforts to better their lives is surely discriminatory 1500 El Dorado and counter-productive of our KS values and needs. These kids have studied Dr., Lawrence, hard in our KS high schools, and should be able to go on to our KS colleges KS 66047 and Universities.  
247. Stefanie Torres  
246. Ellena Park 67230  
245. Tyler Dawson  
244. Victoria Pulley

243.	sally sanko	3027 16th street, Great Bend, Kansas 67530
242.	Haleigh Riemer	66226
241.	Lisette van de Liefvoort	
240.	Maggie Horigan	66046
239.	Bekkah Sperry	66044
238.	Amanda Diercks	Lawrence, KS
237.	Dr. Mark Alterman	The proposed bill solves no problem. It only punishes the children of those who do the "jobs Americans don't want" (as someone once said) for the "sins" of their parents. 66401
236.	Craig Dawson	
235.	Lois Mersmann	Lawrence KS 66044
234.	Veronica Fierro	
233.	Jaroslav Kopa	
232.	Emily Kopa	
231.	Ashley Hinrichs	66044
230.	Margarita Zuniga	66047
229.	Dennis	Lawrence, 66044
228.	Anita Moudgal	
227.	Ruby Camarena	
226.	Bethany Butler Myers	66206
225.	Polly Revare	polly@revare.com

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Kansas Bishops of  
The Episcopal Church, the Evangelical Lutheran Church in America and The United Methodist Church

March 15, 2011

RE: Opponent to HB 2006

Dear Senator Pete Brungardt and members of the Federal and State Affairs Committee:

Juan and his father came to the United States when he was seven. The bright young boy quickly learned English and excelled in school. By the time he was in high school, he was on the honor roll in his western Kansas town and active in community and church organizations. And then his father broke the news: while he had become a Lawful Permanent Resident two years earlier, Juan was undocumented. Juan was devastated. His father explained that, as a Lawful Permanent Resident, his attorney had said that it would be at least a few more years before his son would get legal status. He promised to apply for citizenship as soon as he could, but he warned that if Juan turned 21 before his citizenship was approved, he would have to go to the back of the line. Juan's dreams of majoring in accounting at Kansas State University were destroyed.

Until the Kansas Legislature intervened.

In 2004, a bipartisan group of Kansas legislators passed legislation to allow qualified immigrant students to attend colleges at in-state tuition rates. The Governor signed the legislation into law. And Juan, his father, his teachers, his church, and fellow community members all celebrated.

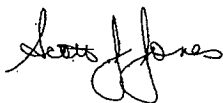
- Matthew 25: 35-40 For I was hungry and you gave me food; I was thirsty and you gave me drink; **I was a stranger and you made me welcome**; naked and you clothed me; sick and you visited me; in prison and you came to see me. . . I tell you solemnly, in so far as you did this to one of the least of these brothers of mine, you did it to me.

"I was a stranger and you made me welcome!" These words from Matthew's Gospel have long been connected by our Christian faith to the immigrants in our midst. Along with these sacred words, many other Scripture passages from the Old and New Testament have guided our path to embrace the immigrant stranger in our society.

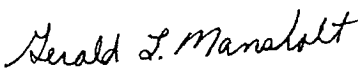
As the 2011 Legislative Session again revisits the policy of in-state tuition at our Regent institutions, we call on legislators to uphold this policy. This call comes from our belief in the call of the Gospel to welcome the stranger, to embrace the children and to care for those on the outer edges of our society.

In-state tuition has provided a path to education for several hundred young people who call Kansas home. These young people, through no fault of their own, are caught up in our nation's broken immigration system. In Juan's case, his application for Lawful Permanent Residency was approved shortly after he completed his sophomore year of college. But immigrant students just like him depend on this policy to provide a window of opportunity for their dreams. As faith leaders we worked for passage of this policy in 2004 and we rejoiced alongside them when it became law. And, today, we appeal again for its continuation.

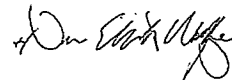
Blessings



Scott J. Jones  
The United Methodist Church  
Kansas Area of the United Methodist Church



Gerald L. Mansholt  
The Evangelical Lutheran Church in America  
Central States Synod



Dean E. Wolfe  
The Episcopal Diocese of Kansas