

Students are Investments

When I taught at the university level, it was understood that in-state tuition was a solid recruiting method used to encourage local high school talent to continue their education in state. In-state tuition is a fiscal tool that helps protect and justify the state's investment in each and every student. Astute communities understand that in-state tuition also increases the pool of college graduates who most likely will transition to a recruitable workforce, bringing both life blood and revenues to the city and state coffers. Some universities, including Washburn, have dangled the in-state tuition carrot to high school graduates of BORDER STATES to recruit them. Smart universities do this because they recognize that students bring cash value to the college community while increasing the talent pool. College Graduates = Alumni = Benefactors as well as tax payers.

Students are BIG Business

Communities are smart when they recognize students and their families as consumers. K-12 families purchase fuel, food, and small to large ticket items and the sales tax from their purchases is money in the bank for our state. Immigrants without social security numbers DO NOT QUALIFY FOR PUBLIC ASSISTANCE like SNAP/food stamps, and KanCare. Ironically, immigrants, regardless of status, are required by law to both register for selective service and submit income tax returns. Those who do not have a social security number register with the IRS and are issued federal ITIN numbers and file and pay income taxes just like citizens until they qualify for a social security number at which time their earnings from their ITIN are merged with their SOS#. It is NOT illegal for an immigrant to own a business, own property, or be self-employed. Immigrants who have strong roots in our communities pay real-estate and personal property taxes and renters, also contribute via their landlords revenues. States need to grow the number of taxpayers and job creators who can help stimulate our economy. Regretfully, few citizens want to gut cows in Western Kansas, or be a Pediatrician in rural America. Kansas desperately needs the immigrant community to fill our Ag/livestock workforce and STEM gaps, and Kansans should welcome the children of the these workers.

Using backward logic and saying undocumented students should not get in-state tuition if someone deems they are not contributing enough on the tax rolls, should make us re-evaluate why in-state tuition is offered to those on welfare who actually drain state funds from top to bottom. The answer should be clear, education is the step ladder for students to rise out of the traps of poverty and entitlements. Don't be naive, educational institutions have the discretion to bend the rules and give blue chip recruits in-state tuition as well as extend in-state tuition to spouses of active duty services members. That being said the reason students from other states don't automatically qualify for in-state tuition in Kansas because they have not resided or contributed to our state's economic or community dynamics. Most out of state residents COULD opt to qualify for in-state tuition in a state other than their current residency state, by legally changing residency and residing in their new state for one year while working and contributing to the new state and not attending college more than six hours per semester. The following year a person can apply, and most likely qualify to receive in-state tuition.

DACA STUDENTS ARE LAWFULLY PRESENT

This whole conversation should be really moot because the Department of Homeland Security stated that "DACA applicants who are granted deferred action are authorized to remain in the U.S. and are lawfully present."

DACA students have passed a high level national and international biometrics screening. These students have proven beyond a reasonable doubt their dedication to education and good citizenship by submitted stacks of documents, including but not limited to, immunization records, transcripts, yearbook photos, awards, JROTC service records, letters of recommendations, affidavits from citizens, as well as diplomas and certificates. DACA students must also provide documentation for each and every year they have been good students and community members in the United States. DACA recipients are issued a social security number, and have paid and applied to and are granted a **LEGAL WORK PERMIT which this**

administration has clarified will be renewable in two years and views it as a stop-gap measure until full legislation is completed.

Even if the small number of these students you are looking at today did not have DACA authorization, numerous courts have examined state laws providing for in-state tuition and without exception determined it legal for states to offer in-state tuition to unauthorized immigrants as long as the same is offered to citizens who meet the same residency requirements. This includes Kansas. DHS also reviewed in-state tuition years ago and concluded there is no violation of 8 U.S.C. § 1623.

ANTI-ANY-IMMIGRATION LOBBY

Big picture, what is taking place here is the anti-**ANY**-immigration lobby keeps bringing up the same issues to anger the public because they do **NOT** want to fix the broken system. To the best of my knowledge the anti-**ANY**-immigration lobby have lost every in-state tuition legal case, and most laws they have written have been struck down as unconstitutional, at great cost to state and local taxpayers for not only their legal fees but those of the plaintiffs as well. 2/3 of AZ law has been struck down as unconstitutional, and the remainder 1/3 will most likely be struck down in civil court. The motivation of constantly introducing new unconstitutional laws has more to do with keeping the pot of public anger boiling rather than to win cases. Don't be fooled, when Mr. Kobach is lobbying before you he is **NOT** representing the Kansas Faith, Business, or Law Enforcement Coalitions, nor is he recognized by most immigration law experts to be an expert in immigration law. To the best of my knowledge, policy experts have only found one case to date that that Mr. Kobach represented an immigrant in an immigration matter, and that he lost that case. Mr. Kobach comes to you as a wolf in sheep's clothing, steeped in Missouri rhetoric as a paid expert in anti-**ANY**-immigration law. His pockets are lined with money from associates of FAIR and Numbers USA who were outed by Human Life Revue for its dark connections to Sanger, Tanton, and ZPG. I find it hard to believe that anyone who **TRULY** subscribes to the sanctity of life, could ever demoralize or dehumanize a fellow human beings personhood by calling them "Illegal". Thank God bipartisan lawmakers in both the House and Senate have risen to the occasion and are at this very moment finding solutions to fix the broken immigration system that was put in a tailspin by short sighted laws enacted in 1996 during the Clinton Administration which put **LEGAL** immigration in a chokehold. The Catch-22 system where we aggressively tell immigrants to "go home and get in line", and then slap those who would voluntarily self-deport with a three or ten year ban from applying as a parting gift. It is a shame those who consulted Mitt Romney on immigration law, didn't recognize it's intricacies, or explain to him the Catch-22 system, which hamstring and deters immigrants from "self-deporting" to get in the imaginary line.

The Texas Solution, as well as the Utah and Colorado Compact, have their head on its shoulders and are leading the charge to create a functional system that does not deport VFW who served and were honorably discharged, nor the oldest child of a family who came on a **LEGAL** visa when they turn 21. Immigration policy that focuses on skilled immigrants filling positions in existing companies, as well as immigrants' potential to create new companies, while appreciating the talent of these entrepreneurs, making them feel like valuable assets, **NOT** aliens. In a competitive marketplace America must actively recruit talent and be more responsive to its needs. Real time economic factors, are the driving force of Senator Moran's support for STEM and START-Up legislation. The conservative Bibles, Badges, and Business Coalition is rallying together to support bipartisan leadership to modernize immigration standards and practices to measures that reflect family, faith, good policy, and common sense.

So I would ask in regards to our DACA recipients, what part of **LAWFULLY PRESENT** isn't understood? These students grew up in your neighborhoods, played in your children's athletic leagues, excelled in the classroom, wore the uniform in JROTC, and have contributed to our communities. These students have risen to the top against all odds, and we should be applauding their work ethic and assisting them in meeting their God-given potential.

Consider this list of some of the very talented people with great human potential that the writers of this and similar bills want to oppress:

DACA JROTC Cadet
DACA Married to a U.S. Citizen
DACA Child of Legal Permanent Resident, and Step Child of a U.S. Citizen
DACA President of a Sorority
DACA Science, Engineering, and Technology Student
DACA Nurse, Doctor, Dentist
DACA Volunteer who teaches English to non-English speakers
DACA Sunday School Teacher and Youth Group Leader

THE LETTER OF THE LAW

Punishing innocent immigrant children is kin to telling a student they could not receive in-state tuition in a state they grew up if their parent failed to file or pay income taxes. It is also kin to charging a minor passenger in a vehicle of a traffic offender. Politicians and their families have frequented the criminal justice system and have pled for mercy with pleas, probation, youth court, expungements, warnings and all sorts of remedies to escape the full wrath of the law. How many of you have accepted a warning ticket, instead of a date in traffic court? **Prosecutorial Discretion** was put in place to be able to balance the scales of justice with humanity. More than 50% of our immigrant community migrated LEGALLY, then lost status which is a CIVIL law issue and not a violation of criminal law. It is apples and oranges to compare our ancestors immigration processing at Ellis Island, to the cost or maize of today's processes. Nor should it be compared to sequestration issues which do not affect the eligibility to receive in-state tuition. In-state tuition is a RATE, not to be confused with a grant, tuition reimbursement, or a scholarship. Recent history reminds us it was illegal for blacks and women to vote, and slavery was legal. I can attest that immigration law is marred with flaws and injustices when families migrate LEGALLY and their oldest child "times out" and is deemed "illegal" when they are pushed out of the crooked line. People of faith are called to address injustice in our land, to advocate for righteousness, and to address why strong fists and hard hearts hold "others" to the highest moral standards, that they do not place on themselves. Legislation that wants to put the hammer down on immigrants who were put between a rock and a hard place by no fault of their own, but feels fine to legislate a free pass to children of citizens who use fake ID's to buy alcohol or participate in unlawful activity. Only by the grace of God, most who sit in high judgment have never walked a step, let alone a mile, in their neighbors shoes. Each one of us must decide if we really subscribe to "JUSTICE" for all, or if we would prefer to legislate discriminative law that crafted for "JUST" "US".

As Governor Brownback's friend and spiritual adviser Rev. Samuel Rodriguez who is also my Bibles Badges and Business team member explains, the message of the Cross intersects vertically, loving God with all your heart, and horizontally how we stretch out our arms to our immigrant neighbors.

Bulling and kicking innocent children when they are down is NOT the Christian, and definitely not the Kansan way. Immigrant children, whose parents sweat and labor has been both welcomed and needed in Kansas slaughterhouses and fields, are gifts to our communities. Their desire to attend college or serve in our military should be applauded, not persecuted. There are 92 verses in the Bible on how to treat immigrants and children. Today you will choose to be a blessing or a curse to the least of these. Your choice in regards to how you treat innocent children, will be both your legacy and your witness. I pray your choice is one of love and compassion, which is the true Kansas welcome and way.

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