

To the Honorable Ron Highland, Chair of the Education Committee,

Please pass HB 2139 to repeal in-state tuition for illegal aliens.

In-state tuition for illegal aliens violates fairness and equal justice under the law. We currently punish American citizens that happen to live across the State border in neighboring States by making them pay full tuition rates at our institutes of higher learning and give special benefits to illegal aliens that live across the border in another country.

These special benefits can mean tens of thousands of dollars a semester for professional level students like dentists and doctors. My wife and I had to buy a small apartment in Oklahoma and live in it for a year before we could be eligible for in-state tuition in that State. It was cheaper to do that than pay an additional \$10,000 a semester for Dental School. If we lived in Oklahoma, and got in Dental School in Kansas, we would have to do the same.

If we were illegal aliens we would not have to worry about establishing residency or paying \$10,000 a semester in out of state tuition rates. That is totally unfair to hard working Americans! Kansas is lucky they have not been sued over this statute by out of state professional students because of the \$40,000 plus in extra tuition the professional students have to pay while illegals aliens are given a free pass.

It is time to stand for basic fairness and equal justice under the law in Kansas! The in-tuition for illegal alien statute violates federal immigration law and must be repealed immediately to stay in compliance. No special benefits can be made for illegal aliens and the states must also follow the law.

Immigration law, 8 US Code 1324 states that it is a crime to, either knowingly or recklessly, "conceal, harbor, or shield from detection, or attempt to conceal, harbor, or shield from detection... transport, or move or attempt to transport or move" or to even "encourage or induce" an illegal alien "to come to, enter, or reside in the United States, knowingly or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law."

It is not only a crime to actually commit these offenses, but it is a crime to even attempt to do so. Anyone found guilty of violating 8 US Code 1324 is subject to fines, prison or both. However, if it can be proven that this person has committed this act for personal gain, the fines go up and the prison sentence can be as much as ten years.

The statute also appears to violate 8 US Code 1611 which sets forth specific federal benefits that cannot be given to illegal aliens.

"Notwithstanding any other provision of law and except as provided in subsection (b) of this section, an alien who is not a qualified alien...is not eligible

for any Federal public benefit..." (NOTE: there is an exception for emergency services in this section)

Section 1611 defines a benefit as follows:

"(A) any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States; and

(B) any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the United States or by appropriated funds of the United States."

Kansas is clearly outside of federal immigration law and must pass HB 2139 immediately or face lawsuits from out of state American citizens that had to pay out of state tuition or face federal fines for violating federal statues. We are also one of the few sanctuary states for illegals in the entire region and we must stop drawing them in and further damaging our state budgets.

Thank you for your time and consideration,

Robert Wood
1008 Mill Road
Pittsburg, KS 66762