

Nepali American Public Affairs Council (NAPAC)

19 Longknoll Way, Kingsville, MD 21087

www.napac-us.org

December 01, 2010

Appeal to Contact Your Representatives for Support of the DREAM ACT

Hi Friends,

On 11/30/10, Senate Majority Leader Harry Reid (D-NV) filed a new version of the DREAM Act (S.3992) with the aim of attracting broader support for DREAM to get the requisite 60 votes to pass the Senate during the current "lame duck" session of Congress.

The earliest Reid could file a cloture motion on the new bill would be this coming Thursday, December 2nd. After waiting out the requisite 30 hours post-cloture, it could "ripen" over the weekend, and effectively come up for a vote on Monday, December 6th at the earliest.

The new version addresses many of the concerns raised by Republicans and tightens the restrictions on eligibility in several respects. Among other changes, the new version does the following:

- Excludes from eligibility those with certain criminal convictions, such as for offenses punishable by a maximum term of more than 1 year (felony) or 3 misdemeanors
- Requires all applicants to provide their biometric data to DHS, to submit to background checks and medical examination, and to register for military selective service
- Requires applicants to pay all taxes
- Sets the cut-off age to those who are less than 30 years-old on the date of enactment
- Provides a "safe harbor" from removal only to those applicants who present a prima facie case of eligibility
- Extends the good moral character requirement back to the date the alien entered the United States rather than the date of enactment of DREAM
- Expands the applicable grounds of inadmissibility to include the health-related, public charge, smuggling, draft dodging, and unlawful voting grounds
- Expands the applicable grounds of deportability to include public charge, unlawful voting, and marriage fraud grounds
- Excludes those who participated in persecution
- Clarifies that no one can apply before 1 year after enactment
- Requires applicants to demonstrate eligibility by a preponderance of the evidence
- Eliminates repeal of the in-state tuition ban

- Defines institution of higher education to include only U.S.-based programs
- Requires those who subsequently apply for adjustment to meet the English language and civics requirements typically required for naturalization
- Expands the circumstances where disclosure of confidential information about DREAM applicants is required for homeland security or national security purposes
- Creates conditional nonimmigrant status for 10 years, followed by 3 years of LPR status prior to application for naturalization

Senator Durbin (D-IL) has also recently introduced two paired down versions of the DREAM Act (S.3962) and (S.3963) in the hopes of getting the bill passed during the lame duck session.

BUT, in order for the DREAM Act to pass we must keep the pressure on Members of Congress. It's more important than ever that you take action TODAY by writing and calling your member of Congress (Senators & Congressmen) and urging them to support this common-sense and urgently needed immigration measure.

BACKGROUND:

There is a very good chance that the bill may now come before the Lame Duck session. President Obama, Senator Reid and Representative Pelosi have all pledged to pass the bill before the end of the year.

The **DREAM** Act (Development, Relief, and Education for Alien Minors Act, S. 3992) creates a path to citizenship for undocumented students who have entered the United States before age 16.

Despite receiving their diplomas, over 65,000 undocumented high school graduates find themselves being denied higher education each year due to the inability to become citizens. As you can imagine, this discourages many and denies us the benefit of their talents and abilities in the work force.

We recognize the suffering of these young people who, through no fault of their own, are denied access to legal status and an opportunity to continue their education. Pope Benedict XVI asks for immigration policy “with a view to safeguarding the needs and rights of individual migrants and their families.” The DREAM act honors the needs and rights of young people brought to this country that they now consider home.

The DREAM Act could come to the House or the Senate floor as early as December 6, 2010. This is our last chance for the DREAM Act to move forward in this session. The time to act is **NOW**.

ACTION REQUESTED:

Please call or write to both of your Senators and your Representative TODAY and ask him/her to support the DREAM act.

For contact information for the Senate:

http://www.senate.gov/general/contact_information/senators_cfm.cfm

For the House: http://www.senate.gov/general/contact_information/senators_cfm.cfm

WHEN YOU CALL – SAMPLE SCRIPT

Ask for the Immigration Staffer.

“I am calling to ask Senator _____ to support S. 3992 the DREAM Act of 2010. The 65,000 undocumented youth graduating each year deserve the opportunity for a path to citizenship.”

WHEN YOU WRITE

Use our sample letter below

Dear Senator/Representative _____,

I write to you as a constituent and a person of faith greatly concerned for the thousands of students in our country who are denied the opportunity of higher education due to their undocumented status. I am writing today to urge you to support the Development, Relief, and Education for Alien Minors Act of 2009. My faith teaches that we must welcome the stranger and the DREAM act will help our country to welcome young people who already call the U.S. their home.

Each year, 65,000 students graduate high schools across the country with no path to higher education due to their lack of citizenship. Every student deserves the opportunity to further his/her education after doing well in school and qualifying to get into college or deciding to serve the country through military service. It is time to award these students and service members a path to citizenship and no longer deny our society their great minds and talents.

Again, I urge you to vote for the DREAM act.

Sincerely,

Your name

Dear friends,

This is the time for action, so please make a call or write a letter to your representatives and make a difference. Exercise your right to have an impact on the public policies which are going to impact many of us in direct and indirect ways for many years to come.

Thank you,
Dr. Shyam Karki
President, NAPAC

(Note: This information package was prepared by **Keshab Raj Seadie, Esq.** who is our immigration law specialist and a great supporter of NAPAC. He can be contacted at Phone: (212) 571-6002, Fax: (212) 571-7302)
