

National Immigration Law Center’s Statement for the Record
House Committee on Education and the Workforce
Subcommittee on Early Childhood, Elementary, and Secondary Education
“The Consequences of Biden’s Border Chaos for K-12 Schools”
Tuesday, June 4, 2024

Dear Chairman Bean, Ranking Member Bonamici, and Members of the subcommittee:

Thank you for the opportunity to submit a statement on behalf of the National Immigration Law Center (NILC). We respectfully request that this statement be made part of the record for the Tuesday, June 4, 2024, Subcommittee on Early Childhood, Elementary, and Secondary Education hearing, “The Consequences of Biden’s Border Chaos for K-12 Schools.”

At the National Immigration Law Center (NILC), we believe that immigrants are essential to the fabric of who we are as a nation. Since 1979, NILC’s mission has been to defend and advance the rights of low-income immigrants. Since our establishment over 40 years ago, we’ve been at the forefront of many of the country’s most significant challenges regarding immigration issues, and we continue to play a leadership role in addressing the real-life impact of policies that affect the ability of low-income immigrants to prosper. Through our litigation, policy advocacy, communications, and movement-building expertise, we support immigrants in living healthy, secure, and empowered lives.

We envision a society in which all of us — regardless of where we were born, the color of our skin, or how much money we have — have the freedom to thrive. A core component of this vision is unobstructed and equal access to a K-12 public education, irrespective of immigration status. Access to education is a nationally recognized legal obligation, as affirmed by *Plyler v Doe*, yet we continue to see attempts to create barriers to public education, most recently through proposed state legislation and in Congressional hearings.¹

We submit this statement today to urgently ask the Subcommittee and Congress to oppose all and any claims and proposals that would restrict public education to undocumented newcomer students.

These attacks on newcomer students are unconscionable. They come to the U.S. seeking safety and better opportunities often inaccessible in their country of origin.

¹ *Plyler v. Doe*, 457 U.S. 202 (1982).

According to a report by the Migration Policy Institute, in 2021, 649,000 newcomer children aged 5-17 who had been in the U.S. for less than three years comprised 30% of all foreign-born children.² The *Plyler* decision helped ensure that these newcomer children have access to public education and a chance to achieve socio-economic progress.

Access to education gives people the stability and ability to live more fully in the U.S. A clear, example of this success is the youth granted Deferred Action for Childhood Arrivals (DACA). The experience of DACA recipients, many of whom were undocumented as children, illustrates that investing in the education of students, regardless of immigration status, helps them fulfill their potential and become productive members of society by adulthood. Our annual survey of DACA recipients, conducted with University of California San Diego Professor Tom Wong, United We Dream, and the Center for American Progress (CAP), has found that the lives of DACA recipients and their families were improved significantly by DACA.³ Survey data from the past decade has found that the DACA program has helped recipients “attain greater financial stability, benefiting themselves, their families, and the U.S. economy.”⁴ The DACA example demonstrates that investing in education early on prepares young people for the future, as their individual circumstances or immigration status may evolve. The Congressional Budget Office also confirms the positive impacts of immigrants on the economy since they recently “projected immigrants to contribute \$7 trillion to the growth of the U.S. economy over the next decade.”⁵ When newcomer children can enroll in school, they will be better prepared to integrate into society. We also know that when newcomer children become adults, they will enter the workforce, contributing to the economy.

At NILC, our vision is for everyone to have the freedom to thrive, and education is a pathway that allows for better opportunities. When newcomer children enter the educational system, we benefit from an economic and societal standpoint. Therefore, any attempts to restrict educational access would harm us all.

It is up to Congress to bring positive changes that benefit this diverse nation. We urgently ask Congress to oppose all attempts and proposals to limit access to education simply because of a person’s immigration status and focus instead on providing more resources to the nation’s schools to ensure the successful integration of newcomer children into society and access to quality education for all.

² Julie Sugarman, “Recent Immigrant Children: A Profile of New Arrivals to U.S. Schools,” Migration Policy Institute (October 2023),

https://www.migrationpolicy.org/sites/default/files/publications/mpi-recent-immigrant-children-2023_final.pdf.

³ 2023 Survey of DACA Recipients Highlights Economic Advancement, Continued Uncertainty Amid Legal Limbo (Center for American Progress, March 23, 2024), <https://www.americanprogress.org/article/2023-survey-of-daca-recipients-highlights-economic-advancement-continued-uncertainty-amid-legal-limbo/>

⁴Ibid.

⁵ The Budget and Economic Outlook: 2024 to 2034 (Congressional Budget Office, February 7, 2024)

<https://www.cbo.gov/publication/59710>