



— STATEMENT FOR THE RECORD —

**House Judiciary Subcommittee on the Constitution Hearing**

*“Immigration Policy by Court Order: The Adverse Effects of Plyler v. Doe”*

Wednesday, March 18, 2026

The AFL-CIO is a federation of 65 unions representing more than 15 million working people. We strive to ensure that every person who works in this country receives decent pay, good benefits, safe working conditions, and fair treatment on the job and in the community. Our members work in every state in the union and in every sector of the economy, including those who serve, nurture and educate immigrant families on a daily basis. We represent working people from every region of the world with all types of immigration status, and as such we are deeply committed to defending the established legal doctrine that Constitutional protections extend to all people in our country, including immigrants.

Public education is a cornerstone of our democratic society and system of government. The principles established by the Supreme Court in *Plyler v. Doe* are clear, right, and broadly beneficial. Denying children who reside in the United States a K-12 public education based on their immigration status, or the immigration status of their parents or legal guardians, is and must remain illegal. Doing so would create a marginalized subclass of children and adults, resulting in widespread inequity and long-term structural socio-economic consequences based on racial, ethnic, and country-of-origin discrimination.

The law is clear, K-12 schools may not do anything to deny, deter or chill children’s access to education, including by reporting or threatening to report them to ICE. These protections, enshrined in the Constitution, cannot be changed by the Secretary of Education, the Attorney General, states, local law enforcement, school districts, a single school or any individual.

Continuing to challenge foundational legal doctrine will cause profound harm to working families and the communities in which they live and work. The violent, militarized mass deportation agenda has already created a dangerous chilling effect, as immigrant families have become afraid to seek assistance to support their basic needs. Deterring working immigrants from utilizing the services their tax dollars help support, including those that provide health care, nutritious food, secure housing and education, will lead to an increase in poverty, hunger, illness, and homelessness.

The harms of this approach would be particularly acute for children, whose well-being is inseparable from the well-being of their parents and families. There is extensive research showing that generations improve their economic contributions over time. Thus, discouraging

families from seeking health, nutrition, housing, or educational support for their children will only make it harder for them to achieve economic security and self-sufficiency in the future. The value of access to public benefits is well documented, yielding important returns for both individuals and the nation through increased employment, higher educational attainment, and decreased welfare dependency in adulthood, as well as improved public health.

America's unions oppose any policies that threaten the rights and livelihoods of union and community members. We will vigorously defend the core principles of birthright citizenship, universal access to public education, due process and freedom of speech and assembly for all, without exclusion.

Continuing to relentlessly penalize immigrants will do nothing to promote affordability or lift labor standards in our country. To the contrary, creating disincentives to access vital services will drive up risks and costs for all working people. If we want our communities to thrive, everyone in those communities must be able to get the care, services and support they need to remain healthy and productive.