

April 3, 2026

*Submitted via electronic delivery*

Chairman Chip Roy  
103 Cannon House Office Building  
Washington, D.C. 20515

Ranking Member Mary Gay Scanlon  
1214 Longworth House Office Building  
Washington, D.C. 20515

**Re: March 18, 2026 House Judiciary Subcommittee on the Constitution and  
Limited Government Hearing on “Immigration Policy by Court Order: The  
Adverse Effects of *Plyler v. Doe*”**

Dear Chairman Roy and Ranking Member Scanlon:

The NAACP Legal Defense and Educational Fund, Inc. (“LDF”) write to strongly oppose any effort to overturn or undermine the principle that the Equal Protection Clause of the Fourteenth Amendment guarantees all people, no matter their race, sex, or immigration status, equal access to public education. The U.S. Supreme Court’s 1982 decision in *Plyler v. Doe*<sup>1</sup> was correctly decided, both as a matter of law and good public policy, and paved the way for millions of children who lacked legal immigration status to access a free public education across the country.

Founded in 1940 by Thurgood Marshall, LDF is the nation’s oldest civil rights law organization. For more than 80 years, LDF has relied on the U.S. Constitution and federal and state civil rights laws to pursue equality and racial justice. Since the historic U.S. Supreme Court decision in *Brown v. Board of Education*,<sup>2</sup> which LDF litigated and won, LDF has continued to represent Black students to ensure they receive quality and equitable educational opportunities.<sup>3</sup> Through litigation, advocacy, and public education, LDF seeks structural changes to expand democracy, eliminate disparities, and achieve racial justice in a society that fulfills the promise of equality for all Americans.

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<sup>1</sup> 457 U.S. 202 (1982).

<sup>2</sup> 347 U.S. 483 (1954).

<sup>3</sup> See, e.g., *Thomas v. St. Martin Parish Sch. Dist.*, No. 6:65-cv-11314, ECF No. 178 (W.D. La., Jan. 25, 2016), <https://www.naacpldf.org/update/ldf-announces-consent-decree-thomas-v-school-board-st-martin-parish/> (approving a school desegregation plan designed to racially integrate St. Martin Parish School District and ensure African-American students have equal access to quality educational opportunities); see also Letter to the U.S. Dep’t of Educ. Regarding Violations of Title VI of the Civil Rights Act of 1964 by the Bryan Independent School District, Texas, Legal Def. Fund & Nat’l Ctr. for Youth L. (Feb. 20, 2013), <http://www.naacpldf.org/document/bryan-isd-ocr-complaint>; see *Arnold v. Barbers Hill Indep. Sch. Dist.*, 479 F. Supp. 3d 511 (S.D. Tex. 2021), <https://www.naacpldf.org/case-issue/arnold-family-v-barbers-hill-independent-school-district/>.

The Supreme Court has long recognized that the Fourteenth Amendment requires equal access to education for all notwithstanding a person's immigration status, nationality, race, creed, color or ability. In *Plyler*, the Court adhered to this view: "The Equal Protection Clause was intended to work nothing less than the abolition of all caste-based and invidious class-based legislation."<sup>4</sup> Indeed, after ascending to the Supreme Court, Justice Thurgood Marshall articulated in his concurring opinion in *Plyler*, any "class-based denial of public education is utterly incompatible with the Equal Protection Clause of the Fourteenth Amendment."<sup>5</sup> As the Court in *Brown* noted in 1954, "[t]oday, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditure for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship."<sup>6</sup> These principles remain true today.

Educated communities across our nation remain essential as America strives to be a leading country with a multiracial democracy. Instead of attempting to unconstitutionally deny children access to public education, Congress should be focused on expanding educational access and opportunity for all.

Thank you for the opportunity to share our views. If you have any questions, please do not hesitate to contact Ashley Harrington, Senior Policy Counsel ([aharrington@naacpldf.org](mailto:aharrington@naacpldf.org)) and Allen Liu, Policy Counsel ([aliu@naacpldf.org](mailto:aliu@naacpldf.org)).

Sincerely,

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NAACP Legal Defense and Educational  
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<sup>4</sup> 457 U.S. 202, 213 (1982).

<sup>5</sup> 457 U.S. 202, 230 (1982) (Marshall, J. concurring).

<sup>6</sup> 347 U.S. 483, 493 (1954).