



HUFFINES 
LIBERTY FOUNDATION

Reducing Illegal Immigration and its Costs in Texas:

EDUCATION



Executive Summary

Close to 2.5 million illegal aliens were encountered by law enforcement at the Southwest U.S. border in the most recent (2023) fiscal year. More than half of those were in Texas. This cost is high, more than \$13 billion a year. To put that amount in context, it is more than 10 percent of Texas' annual spending of \$110 billion of state funds.

The most important step that can be taken to reduce these costs is to secure the U.S. border with Mexico. Unfortunately, neither federal nor state politicians are seriously trying to shut down the border to illegal immigration.

The next best thing we can do is make Texas less attractive to current and potential illegal aliens. And perhaps the best way we can do that is to eliminate the many government benefits that illegal aliens take advantage of upon their arrival in Texas.

The place to start eliminating these benefits is in education. The cost of educating illegal aliens is far higher than any other cost imposed by illegal immigration on Texans. Including both public education and higher education, the costs likely exceed \$7 billion a year. Texas has tried in the past to recover some of these costs from illegal aliens and the federal government. In both cases, Texas has been rebuffed by the federal courts.

In order to reduce these costs and the benefits that help attract illegal aliens to Texas, the Foundation makes these recommendations: 1) eliminate in-state tuition for illegal aliens; 2) place a moratorium on enrollment of illegal aliens in public schools until the U.S. government reimburses the costs; 3) require proof of citizenship status for students and parents of students; and 4) require Texas school districts to count and report all non-citizen students and all children of noncitizens.

Introduction

Illegal immigration is an American and Texas crisis. The unchallenged flow of illegals over the border harms American culture, public policy, the economy, and the integrity of our elections.

In Fiscal Year (FY) 2020, the last full fiscal year of the Trump administration, the federal government had 458,088 encounters with illegal aliens at the U.S. borders (encounters include expulsions, arrests, and contacts with legally inadmissible persons—who were nonetheless admitted). The number tripled in 2021, the first year of the Biden administration. In the last two years, encounters have increased fivefold over 2020.

Citizens of other countries illegally cross the border for various reasons. But the primary reason appears to be seeking a better life. Greater safety and better jobs might be part of this, but often, so are handouts from the U.S., state, and local governments.

Regardless of why they come, the best way to stop the flood of illegal immigration is to close the U.S./Mexico border.

The Biden administration, all Democrats in Congress, and even many Republicans do not want to close the border. To them, an open border is intentional, not a flaw. In fact, Texans are beginning to realize that the federal government has teamed up with Mexico to allow an invasion of Texas and America to politically weaponize the demographic profile of Texas.

Because of this, Texas' governor and Legislature could secure the border without any help from Washington, D.C. The primary way to stop the current invasion of Texas is by immediately deporting all the invaders at the border. Additionally, Texas should put political and economic pressure on Mexico by essentially shutting down tourism and commercial traffic coming into Texas. Without these types of measures, nothing else will work. Yet there are other measures Texas can take to reduce the harm being caused by illegal immigration as we attempt—or do not attempt—to get it under control.

One such measure is eliminating the government benefits that illegals might receive once they reside in this country. In this paper, we will focus on the bene-

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	Total
2023	231,529	235,173	252,315	157,358	156,630	193,249	211,992	206,690	144,556	183,479	232,963	269,735	2,475,669
2022	164,837	174,845	179,253	154,874	166,010	222,574	235,785	241,136	207,834	200,162	204,087	227,547	2,378,944
2021	71,929	72,113	73,994	78,414	101,099	173,277	178,795	180,597	189,034	213,593	209,840	192,001	1,734,686
2020	45,139	42,643	40,565	36,585	36,687	34,460	17,106	23,237	33,049	40,929	50,014	57,674	458,088

Source: [U.S. Customs and Border Protection](#)

fits associated with education. If Texas can reduce or eliminate these benefits to illegal aliens, it will reduce the attractiveness of Texas to both newcomers and illegal aliens currently residing in Texas.

While this may sound harsh to some, the fact is that illegal immigration costs Texans billions of dollars each year. Despite the complaints we hear from governors and mayors from other states about a few thousand immigrants being bused or flown to their states at a cost of \$13 billion a year, the cost of illegal immigration to Texas is significantly more than any other state except for California. This costs a Texas family of four legal residents almost \$2,000 a year. Reducing these costs while securing the Texas border will benefit not only Texans but all Americans as we move toward once again establishing the national borders of the United States.

Costs Associated with the Education of Illegal Immigration in

Cost of Illegal Aliens in Texas Public Schools			
School Year	\$ per Student	Alien Students	Cost
2013-14	\$11,998	293,075	\$3,516,317,849
2014-15	\$12,176	310,459	\$3,780,144,725
2015-16	\$12,771	323,045	\$4,125,607,695
2016-17	\$13,242	335,255	\$4,439,446,710
2017-18	\$13,547	338,657	\$4,587,790,895
2018-19	\$13,942	355,547	\$4,957,031,627
2019-20	\$14,847	376,516	\$5,590,126,640
2020-21	\$15,713	449,765	\$7,067,160,588
2021-22	\$16,607	474,204	\$7,875,112,471
2022-23	\$14,025	474,204	\$6,650,716,710
Total			\$52,589,455,910

Source: [The Texas Education Agency](#) and [The Huffines Liberty Foundation](#)

Texas

Over the next two years, Texans will spend nearly \$160 billion to pay for their public schools—about \$80 billion annually. A significant part of those costs is driven by illegal immigration. As the above chart shows, during the 2022-23 school year, the estimated cost of educating illegal aliens in Texas was \$6.6 billion, 8.6% of the \$77 billion cost of public education during that year. Over the last 10 years, Texans have spent more than \$50 billion on this. These costs do not include the cost of educating the children born in the U.S. to illegal immigrants.

In the past, Texas has tried to seek reimbursement for these education costs from illegal aliens using the schools and the federal government. In the first instance, in 1975 the Texas Legislature changed Texas law to allow only “children who are citizens of the United States or legally admitted aliens” to attend public schools at no cost (125). As a result, many school districts did not allow illegal aliens to enroll. Other districts charged tuition.

This changed in 1982 when the U.S. Supreme Court invalidated the Texas law in a 5-4 decision. The court’s decision, in *Plyler v. Doe*, was in response to a class action lawsuit filed on behalf of “school-age children of Mexican origin residing in Texas who could not establish that they had been legally admitted into the United States.” The five justices in the majority held that the Texas law “violates the Equal Protection Clause of the Fourteenth Amendment.” In his dissent to the *Plyler* decision, Chief Justice Burg-

er wrote, “We trespass on the assigned function of the political branches under our structure of limited and separated powers when we assume a policymaking role as the Court does today.”

Texans also bear costs associated with illegal immigration regarding higher education. Texans subsidize the cost of junior colleges, colleges, and universities for all students. Historically, though, Texas required non-residents of Texas to pay higher tuition than in-state residents. This changed in part in 2001 when the Texas Legislature passed a law allowing in-state tuition for illegal aliens residing in Texas. Texans now pay significantly more for higher education for illegal aliens. The Federation for American Immigration Reform estimates that the in-state tuition benefit for illegal aliens [costs Texans \\$459 million annually](#) (45).

Recommendations: Eliminating the Attraction of Texas’ Education System in the Context of Illegal Immigration

There are a number of measures the Texas Legislature could enact to reduce the attractiveness of the Texas education system to potential and current illegal aliens.

Eliminate in-state tuition for illegal aliens

In 2001, Texas became the first state to allow illegal aliens to pay in-state rather than out-of-state tuition. This became an issue during the 2012 presidential campaign as several conservatives became critical of the policy. The American Immigration Council estimated that 59,000

illegal aliens are currently postsecondary students in Texas.

Place a moratorium on enrollment of illegal aliens in public schools until the U.S. government reimburses the costs

Texas should have no illegal aliens in Texas public schools because we should have no illegal aliens in the country. As we know, this is not the case. The reason is simple: the federal government has failed to live up to one of its most important responsibilities of protecting U.S. citizens by securing our nation’s borders. Until the federal government does this, it should pay Texas for the more than \$7 billion cost of educating illegal aliens and the children of illegal aliens. To pressure the federal government to do the right thing, Texas should put a moratorium on the enrollment of illegal aliens in public schools until the U.S. government reimburses Texans for the cost.

Require proof of citizenship status for students and parents of students

There are estimated to be close to 500,000 illegal aliens in Texas public schools. However, no one knows for sure how many illegal aliens are enrolled in public schools. The reason for this is simple. Texas public schools and the state of Texas do not attempt to discover the actual number. Whatever the reason for this lack of interest, the only way to begin a public discussion on this problem is to come to groups with how big the problem is. To do this, we must require proof of citizenship status for students before they can enroll in Texas public schools.

Require Texas school districts to count and report all non-citizen students and all children of noncitizens

Once Texas has required proof of citizenship for all students and parents of students, the Texas Legislature should also require that school districts report this data to the state. Collecting this data is important to moving forward in making Texas less attractive to illegal aliens. In addition to discovering and reporting the immigration status of students, Texas should do the same for parents of students. This is important because children born in the U.S. to illegal aliens significantly add to the cost of illegal immigration.

Conclusion

The federal government has forced Texans to spend billions of dollars each year to pay for the cost of open borders. Not only is this failure expensive in monetary terms, but it also contributes to the loss of America's cultural identity. In addition to taking steps to secure the border without the federal government's help, the Texas Legislature should pass laws, including those identified here, to make Texas a less attractive place for illegal aliens to come to and live in.



About the Founder

Don Huffines

Former Texas State Senator Donald B. Huffines is a strong Christian, proud fifth-generation Texan, husband, father, grandfather, and self-made businessman.

Don Huffines fought fearlessly for fiscal restraint and government accountability in the Texas State Senate while representing Dallas County.

During his time in the Senate from 2015 to 2019, Senator Huffines served as the Vice-Chair of the Texas Senate Border Security, Veteran Affairs, and Transportation committees. Huffines also earned a reputation as one of Texas's most conservative lawmakers.

Don Huffines founded the Huffines Liberty Foundation to promote the values we all cherish that make Texas great.

The Huffines Liberty Foundation is a 501(c)(3) non-profit, non-partisan research institute.

Our mission is to advance the cause of liberty, prosperity, and virtue in the State of Texas by educating citizens so they may hold their elected officials accountable.

We look beyond the obvious and develop researched solutions based upon the common sense liberty principles of individual rights, fiscal restraint, personal responsibility, limited government, and social conservatism.

The Huffines Liberty Foundation encourages and educates citizens so they are better informed to tackle the toughest challenges.