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Congress of the United States
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Washington, DC 20515
May 28, 2008

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The Honorable Julie Myers
Assistant Secretary for US Immigration and Customs Enforcement
US Department of Homeland Security
c/o Office of Congressional Relations
425 I Street, NW, Room 7030
Washington, DC 20536

Dear Assistant Secretary Myers:

As you may know, North Carolina Attorney General Roy Cooper recently advised the North Carolina Community College System (NCCCS) that it should cease admission of illegal aliens. Attorney General Cooper noted that, with limited exceptions, admitting undocumented aliens into community colleges could violate the intent of federal law and be subject to legal challenge.

Following the Attorney General's advisory to the NCCCS, the Raleigh *News & Observer* sent a letter of inquiry to Immigration and Customs Enforcement about its policy. ICE's response stated that it is left up to each school to decide whether or not to admit illegal aliens.

I realize that federal law is often ambiguous and can be interpreted in any number of ways. However, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 prohibits the use of state or local funds to afford postsecondary education to unlawfully present individuals unless a state passes a law that "affirmatively provides for such eligibility" (8 USC § 1612). The law further states that extending in-state tuition benefits is prohibited, even if state law expressly allows for illegal aliens to enroll in state postsecondary education programs.

I am concerned that ICE's stated position conflicts with the intent of federal law and undermines ICE's recent progress to enforce immigration laws.

I appreciate your dedication to our country and look forward to hearing from you on this matter.

Sincerely,

Sue Myrick
Member of Congress