

Nos. 25-1083, 25-1084

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**In the Supreme Court of the United States**

MARKWAYNE MULLIN, SECRETARY, DEPARTMENT OF  
HOMELAND SECURITY, ET AL.,  
*Petitioners,*

*v.*

DAHLIA DOE, ET AL.,  
*Respondents.*

DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES,  
ET AL.,  
*Petitioners,*

*v.*

FRITZ EMMANUEL LESLY MIOT, ET AL.,  
*Respondents.*

*ON WRITS OF CERTIORARI BEFORE JUDGMENT TO THE UNITED  
STATES COURT OF APPEALS FOR THE SECOND CIRCUIT AND  
THE DISTRICT OF COLUMBIA CIRCUIT*

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**BRIEF FOR THE COMMONWEALTH OF  
MASSACHUSETTS, THE STATES OF CALIFORNIA,  
ILLINOIS, NEW YORK AND 15 OTHERS AS AMICI  
CURIAE IN SUPPORT OF RESPONDENTS**

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**INTERESTS OF *AMICI CURIAE***

*Amici*, the Commonwealth of Massachusetts, the States of California, Illinois, New York, Connecticut, Delaware, Hawai'i, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, Oregon, Rhode Island, Vermont, Washington, the Commonwealth of Virginia, and the District of Columbia (“Amici States”), submit this brief to explain why public interest considerations strongly support upholding the postponement orders in *Lesly Miot v. Trump*, 1:25-cv-02471 (D.D.C. Feb. 2, 2026), *Miot* App. 1a–83a, and *Dahlia Doe v. Mullin*, 1:25-cv-08686 (S.D.N.Y. Nov. 19, 2025), *Doe* App. 1a–36a. We have substantial interests in maintaining Haiti’s and Syria’s Temporary Protected Status (TPS) designations and in preventing Defendants’ unlawful, baseless, and arbitrary termination notices from taking effect. Our Amici States are home to thriving immigrant communities—including many individuals who can live and work in the United States because of TPS. For example, 79,320 individuals with TPS live in California; 98,250 live in New York; 46,510 live in Illinois; and 44,825 live in Massachusetts.<sup>1</sup>

Far from being a burden on or threat to our States, TPS holders provide resounding benefits to their communities and to the Amici States. TPS holders are valued employees and residents of Amici States, and many provide important public services to Amici States’ residents. They are homeowners and neighbors, coworkers, teachers and students, entrepreneurs and job-creators, caregivers,

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<sup>1</sup> Cong. Rsch. Serv., *Temporary Protected Status and Deferred Enforced Departure*, 32-33 (Aug. 28, 2025).

construction workers and union members, and parents. Stripping these individuals of legal status would harm our residents, economies, and public health and safety. The public interest weighs heavily in favor of upholding the postponement order.

Specifically, the Amici States are home to at least 296,100 Haitian immigrants and 71,600 Syrian immigrants.<sup>2</sup> New York and Massachusetts are home to the second-largest and third-largest populations of Haitian immigrants in the country respectively, including an estimated 45,000 Haitian TPS holders in Massachusetts.<sup>3</sup> At least 5,400 Haitian TPS holders live in New York City alone.<sup>4</sup> Nearly 30 percent of all Syrian immigrants (some 31,600 individuals) reside in California,<sup>5</sup> which is also home to the largest population of Syrian TPS holders.<sup>6</sup> These immigrants and their families have made meaningful contributions to our States, and our States have worked hard to welcome them. For example, California historically allocated \$10 million annually to provide legal

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<sup>2</sup> Migration Pol’y Inst., *U.S. Immigrant Population by State and County (2020-2024)* (n.d.).

<sup>3</sup> *Id.*; Int’l Inst. of New England, *IINE Statement on Suspension of TPS for Nearly 500,000 Haitian Immigrants* (Feb. 21, 2025).

<sup>4</sup> Jennifer Bisram, *NYC Officials Call on Trump Administration to Stop TPS Rollback for Haitians*, CBS News (Feb. 27, 2025).

<sup>5</sup> Migration Pol’y Inst., *supra* note 2.

<sup>6</sup> U.S. Citizenship & Immigr. Servs., *I-821 Temporary Protected Status, Current Approved Individuals with a Valid I-765, Employment Authorization Document (A12 or C19 Classification) by Beneficiary State and Country of Citizenship* (July 16, 2018) (the most recent publicly available data indicates that California has the largest Syrian TPS population).

services to TPS holders and continues to dedicate resources to this important community through its funding for the immigrant community as a whole—including support for legal services, education, and technical assistance to community organizations.<sup>7</sup> Recognizing that obtaining a work authorization through the TPS program is a valuable avenue to self-sufficiency, Massachusetts arranged for clinics to assist with Massachusetts’s emergency assistance shelters to complete TPS applications.<sup>8</sup> New York also dedicated substantial resources and support to TPS holders, including by assisting with work authorization applications and connecting these TPS holders to employers.<sup>9</sup> And Illinois has invested in wraparound services to aid TPS holders with access to food, shelter, and medical care, as well as legal assistance and employment authorization.<sup>10</sup>

In short, the Amici States are proud to invest in TPS holders, including individuals from Haiti and

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<sup>7</sup> Cal. Legis. Analyst’s Off., *The 2024-2025 Budget: Department of Social Services Immigration and Equity Programs* (Mar. 15, 2024); Cal. Dept. of Fin., *California Budget 2025-26: Enacted Budget Summary*, Health and Human Services (n.d.).

<sup>8</sup> See Mass. Immigrant & Refugee Advoc. Coal., *MIRA Partnering with State to Offer TPS Clinics for Emergency Assistance Shelter Residents* (Sept. 5, 2024).

<sup>9</sup> See, e.g., New York State, Press Release, *Governor Hochul, Mayor Adams Announce \$38 Million for Asylum Seeker Legal Services and Case Management* (Oct. 3, 2023); N.Y. State Office of Temp. & Disability Assistance, *Refugee Services (RS)/Programs* (n.d.); N.Y.C. Mayor’s Off. of Immigr. Affairs, *Resource Guide for Adult Asylum Seekers* (n.d.).

<sup>10</sup> See Press Release, Off. of Gov. J.B. Pritzker, *Gov. Pritzker Announces Plan to Improve Asylum Seeker Emergency Response* (Nov. 16, 2023).

Syria, and have a critical interest in ensuring that their legal status is not unlawfully revoked. Moreover, the Amici States have a strong interest in ensuring that federal agencies refrain from actions that—like those at issue in this matter—are arbitrary and capricious, discriminatory, and unconstitutional.

## BACKGROUND

Haiti: In 2010, a catastrophic earthquake in Haiti killed and displaced hundreds of thousands of people, throwing the country into crisis.<sup>11</sup> In response, the Department of Homeland Security (DHS) designated Haiti for TPS protection in 2010, extended the TPS protection in 2011, and repeatedly issued extensions thereafter.<sup>12</sup> DHS attempted to terminate Haiti’s TPS designation in 2018,<sup>13</sup> but that decision was enjoined by a federal court and did not take effect.<sup>14</sup> DHS again designated Haiti for TPS in 2021,

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<sup>11</sup> See Richard Pallardy, *2010 Haiti Earthquake*, Britannica (last updated Mar. 23, 2026).

<sup>12</sup> Partial Vacatur of 2024 Temporary Protected Status Decision for Haiti, 90 Fed. Reg. 10,511, 10,512 (Feb. 24, 2025) (describing redesignations and extensions).

<sup>13</sup> Termination of the Designation of Haiti for Temporary Protected Status, 83 Fed. Reg. 2,648 (Jan. 18, 2018).

<sup>14</sup> See *Ramos v. Nielsen*, 336 F. Supp. 3d 1075, 1108-09 (N.D. Cal. 2018). A panel of the Ninth Circuit issued an opinion vacating the district court’s injunction, see *Ramos v. Wolf*, 975 F.3d 872 (9th Cir. 2020)—but the mandate never issued, and the opinion never took effect, because the Ninth Circuit granted rehearing en banc and vacated the panel opinion, 59 F.4th 1010 (9th Cir. 2023). DHS voluntarily dismissed the appeal after redesignating Haiti for TPS. See *Ramos v. Mayorkas*, No. 18-16981, 2023 WL 4363667, at \*1 (9th Cir. June 29, 2023).

and then redesignated and extended TPS for Haiti in 2023 and 2024.<sup>15</sup>

In renewing and extending Haiti's TPS designation for 2024, DHS recognized that Haiti is currently experiencing severe political, security, environmental, humanitarian, and economic crises "that prevent Haitian nationals . . . from returning to Haiti in safety."<sup>16</sup> Among other things, the country lacks a functioning democratically-elected government to control the gang violence that killed or injured more than 2,500 people in 2024 alone and led to an attack on the country's primary airport.<sup>17</sup> Yet DHS purported to partially vacate Haiti's TPS designation without evidence that the country conditions in Haiti had improved.<sup>18</sup> Then, in its July 2025 Termination Notice, DHS still failed to determine whether Haitians can return safely, but expressly acknowledged Haiti's ongoing humanitarian and human rights crisis.<sup>19</sup> The November 28, 2025 Termination Notice likewise acknowledged the conditions in Haiti are "concerning," including because, among other things, many Haitians "have

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<sup>15</sup> Partial Vacatur, 90 Fed. Reg. at 10,512 (describing redesignations and extensions).

<sup>16</sup> See Extension and Redesignation of Haiti for Temporary Protected Status, 89 Fed. Reg. 54,484, 54,491 (July 1, 2024).

<sup>17</sup> See *id.* at 54,488.

<sup>18</sup> Partial Vacatur, 90 Fed. Reg. at 10,513 (stating only that developments "might result in an improvement in conditions").

<sup>19</sup> Termination of the Designation of Haiti for Temporary Protected Status, 90 Fed. Reg. 28,760, 28,763 (July 1, 2025).

been forced to flee their homes and are internally displaced due to escalating violence.”<sup>20</sup>

At the time of the November 2025 Termination Notice, an estimated 353,000 Haitian individuals were TPS holders, all of whom face losing that status and protection.<sup>21</sup>

Syria: In 2012, the United States designated Syria for TPS protection due to a civil war in the country, where the government was violently repressing and killing thousands of civilians.<sup>22</sup> DHS subsequently extended TPS for Syria multiple times, citing ongoing armed conflict.<sup>23</sup>

In reviewing and extending Syria’s TPS designation in 2024, DHS recognized that the ongoing civil war continued to cause food insecurity, limit access to healthcare and clean water, and increase the risk of violence against civilians.<sup>24</sup> The U.S. Department of State continues to maintain a Level 4 “Do Not Travel” advisory for Syria due to the risk of terrorism, civil unrest, kidnapping, hostage taking,

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<sup>20</sup> Termination of the Designation of Haiti for Temporary Protected Status, 90 Fed. Reg. 54,733, 54,735 (Nov. 28, 2025).

<sup>21</sup> Ted Hesson, *Trump Administration Again Seeks to End Haitian Protected Status*, Reuters (Nov. 26, 2025).

<sup>22</sup> Designation of Syrian Arab Republic for Temporary Protected Status, 77 Fed. Reg. 19,026, 19,027 (Mar. 29, 2012).

<sup>23</sup> Termination of the Designation of Syria for Temporary Protected Status, 90 Fed. Reg. 45,398, 45,399 (Sept. 22, 2025) (describing redesignations and extensions).

<sup>24</sup> Extension and Redesignation of Syria for Temporary Protected Status, 89 Fed. Reg. 5,562, 5,565 (Jan. 29, 2024).

crime, and armed conflict.<sup>25</sup> Still, DHS published a notice of termination of Syria’s TPS designation despite acknowledgement that the civil war in Syria had caused dangerous conditions to persist.<sup>26</sup> In fact, days after DHS announced the termination of TPS for Syria, President Trump renewed Syria’s “national emergency” designation pursuant to the International Emergency Economic Powers Act, finding that the conditions in Syria endanger civilians and “threaten[] to undermine the peace, security, and stability in the region.”<sup>27</sup>

At the time of the proposed termination date for Syria TPS (November 21, 2025), approximately 6,100 individuals were set to lose their TPS protections.<sup>28</sup>

### SUMMARY OF THE ARGUMENT

Hundreds of thousands of TPS holders from Haiti and Syria lawfully live and work in the Amici States, raising U.S. citizen children and supporting their families based on the protections and stability that TPS has afforded them. Stripping these individuals of their legal status and work authorization would result in significant harm to the public interest. Indeed, the harm to the public interest is particularly acute in these consolidated cases and includes, among other things, the immediate detention and deportation of

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<sup>25</sup> U.S. Dep’t of State, *Syria Travel Advisory* (last updated Dec. 11, 2025).

<sup>26</sup> Sept. 2025 Termination Notice, 90 Fed. Reg. at 45,398.

<sup>27</sup> Continuation of the National Emergency with Situation in and in Relation to Syria, 90 Fed. Reg. 46,967 (Oct. 2, 2025).

<sup>28</sup> Int’l Refugee Assistance Project, *SCOTUS Schedules Hearing on Termination of TPS for Syria and Haiti in April* (Mar. 16, 2026).

residents to Haiti and Syria, nations in crises; splitting up families; traumatizing children; undermining labor markets; straining public health systems; and the weakening of community safety.

## ARGUMENT

### **The Public Interest Favors Respondents Because Termination Would Inflict Irreparable Harm on Families and Amici States**

Amici States support Respondents' position on the motion to postpone the effective date of the agency action terminating Haiti's and Syria's TPS. We write to highlight significant public interests and harms that the Court should consider in resolving these cases. *See Winter v. Nat. Res. Def. Council*, 555 U.S. 7, 20 (2008) (courts must consider the public interest when determining whether to grant injunctive relief); *Nat'l TPS All. v. Noem*, 150 F.4th 1000, 1015 (9th Cir. 2025) (court should weigh preliminary injunction factors in deciding a § 705 motion).

In cases like this one, which affect many nonparties (including Amici States), hardship to third parties is integral to the public interest analysis. *See Jones v. District of Columbia*, 177 F. Supp. 3d 542, 546 n.3 (D.D.C. 2016). Amici States and their residents will experience many such harms, including impacts to families and communities torn apart;<sup>29</sup> economic harms to Amici States and their residents;<sup>30</sup> increased

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<sup>29</sup> *Hernandez v. Sessions*, 872 F.3d 976, 996 (9th Cir. 2017).

<sup>30</sup> *Nat'l Ass'n of Mfrs. v. U.S. Dep't of Homeland Sec.*, 491 F. Supp. 3d 549, 571 (N.D. Cal. 2020).

public health care expenses;<sup>31</sup> public health harms;<sup>32</sup> public safety harms;<sup>33</sup> and impacts to public services.<sup>34</sup> All of these cognizable harms would affect Amici States and the Nation at large if this Court allows the TPS terminations to take effect. *See Miot* App. 92a (“[P]laintiffs face substantial and well-documented harms[,]” including “risk of detention and deportation, separation from family members, and loss of work authorization” and individuals deported “would be vulnerable to violence amid a ‘collapsing rule of law’ and lack access to life-sustaining medical care.”); *Doe* App. 29a.

**A. Terminating Haiti’s and Syria’s TPS Designation Would Separate Families, Devastate Children, and Fracture Amici States’ Communities and Schools**

Amici States and their residents will be profoundly harmed if Defendants’ actions take effect. Based on newly published 2024 data, TPS holders live with approximately 390,000 U.S. citizen children and more than 410,000 U.S. citizen adults.<sup>35</sup> For Haitians alone, the most recent data shows that approximately 270,000 U.S. citizens were living with Haitian TPS

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<sup>31</sup> *Golden Gate Rest. Ass’n v. City & Cnty. of S.F.*, 512 F.3d 1112, 1126 (9th Cir. 2008).

<sup>32</sup> *World Gym, Inc. v. Baker*, 474 F. Supp. 3d 426, 434 (D. Mass. 2020); *see City & Cnty. of S.F. v. U.S. Citizenship & Immigr. Servs.*, 981 F.3d 742, 762 (9th Cir. 2020).

<sup>33</sup> *Baillargeon v. CSX Transp. Corp.*, 463 F. Supp. 3d 76, 86 (D. Mass. 2020).

<sup>34</sup> *City & Cnty. of S.F. v. Trump*, 897 F.3d 1225, 1244 (9th Cir. 2018).

<sup>35</sup> FWD.us, *Temporary Protected Status Protects Families While Also Boosting the U.S. Economy 2* (Apr. 2026).

holders, including 50,000 U.S. citizen children.<sup>36</sup> Another 7,000 U.S. citizens were living with Syrian TPS holders.<sup>37</sup> DHS unlawfully seeks to strip Haitian and Syrian TPS holders living in mixed-status households of their legal status, pushing many families into poverty and leaving at least 50,000 U.S. citizen children without a parent or trusted adult.<sup>38</sup> As the district courts found, terminating TPS would create extreme hardship for these households, withdrawing their members' work authorizations and exposing them to the threat of deportation. *Miot* App. 81a; *Doe* App. 29a.

Compelling TPS holders to return en masse to Haiti would pose substantial dangers to many members of the Amici States' communities. In her first attempt to terminate Haiti's TPS designation, Secretary Noem did not even attempt to argue that Haiti's conditions had improved, but instead speculated that recent developments "might result in an improvement in conditions."<sup>39</sup> Yet no such "improvement" has materialized to date: the July 2025 Termination Notice itself acknowledged Haiti's ongoing humanitarian crisis, rampant gang violence, and the absence of a functioning government.<sup>40</sup> The November 28 Termination Notice likewise expresses nothing more than hope that conditions will improve in the future. For example, the November 28 Termination Notice noted that a September 30 U.N.

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<sup>36</sup> *Id.*; see also Haitian Bridge All., *Haitian TPS Holders Make the U.S. Stronger* (Jan. 2026).

<sup>37</sup> FWD.us, *supra* n. 35.

<sup>38</sup> See Haitian Bridge Alliance, *supra* note 36.

<sup>39</sup> Partial Vacatur, 90 Fed. Reg. at 10,513.

<sup>40</sup> July 2025 Termination Notice, 90 Fed. Reg. at 28,763.

resolution “authorized a new multinational Gang Suppression Force” that, *when created*, “will” in some undefined way “work in close coordination with the Haitian National Police ... and the Haitian armed forces to conduct intelligence-led operations to neutralize gangs, provide security for critical infrastructure and support humanitarian access.”<sup>41</sup> Yet the Notice fails to identify any “suitable” parts of Haiti where it would be safe for Haitians to return.<sup>42</sup> Indeed, the Gang Suppression Force is only necessary because of the current dangerous and unsafe conditions. Notably, the U.S. State Department continues to classify Haiti as a “Level 4: Do Not Travel” country—its highest risk designation—warning of “kidnapping, crime, civil unrest, and limited health care.”<sup>43</sup> The Federal Aviation Administration recently extended its prohibition on commercial aircraft operations in Haiti because “[a]rmed gangs continue to control large portions of the capital, Port-au Prince, and have used small arms

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<sup>41</sup> Nov. 2025 Termination Notice, 90 Fed. Reg. at 54,735 (internal abbreviations omitted).

<sup>42</sup> *Id.* The District Court recognized, correctly, that the Gang Suppression Force was approved only two months before Secretary Noem issued the November 28 Termination Notice and there is no indication whether it has even been deployed to Haiti yet. *Miot* App. 56a–57a. Moreover, the task force had not been announced at the time the Secretary issued the partial vacatur in February 2025 or at the time she issued her July 1 Termination Notice.

<sup>43</sup> U.S. Dep’t of State, *Haiti Travel Advisory* (last updated July 15, 2025); see U.S. Embassy in Haiti, *Security Alert: Strikes and Demonstrations in Port-au-Prince* (Feb. 24, 2025).

to fire on civilian aircraft, helicopters, airports, and related infrastructure on several occasions.”<sup>44</sup>

If Syrian TPS holders were similarly obliged to return to their home country, these individuals would be subject to widespread poverty, food insecurity, and episodic violence from insurgent groups.<sup>45</sup> The September 2025 Termination Notice for Syria acknowledges that the thirteen-year civil war, which only ended in 2024, “destroyed critical infrastructure” and “significantly weakened the Syrian economy.”<sup>46</sup> The Notice acknowledges that “most Syrians require some form of humanitarian assistance.”<sup>47</sup> The reality is that in August 2025, 16.7 million Syrians required humanitarian aid to survive, which is the highest number since the start of the Syrian crisis in 2011.<sup>48</sup> Civilians in Syria remain targets of episodic violence from insurgent groups; for example, a vigilante assault in March 2025 killed 1,400 Syrians, predominantly civilians.<sup>49</sup> Despite DHS describing the

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<sup>44</sup> Fed. Aviation Admin., *FAA Background Information Regarding U.S. Civil Aviation – Haiti* (n.d.); see Fed. Aviation Admin., KICZ A0003/25 NOTAM, United States of America Prohibition Against Certain Flights in the Territory and Airspace of Haiti (Mar. 11, 2025).

<sup>45</sup> Sept. 2025 Termination Notice, 90 Fed. Reg. at 45,400; Amnesty Int’l, *The State of the World’s Human Rights: April 2025*, 354 (Apr. 28, 2025); UN Off. for the Coordination of Humanitarian Affs., *Syrian Arab Republic: At a Glance | Urgently Prioritized Humanitarian Response Priorities 2025* (Jul. 24, 2025).

<sup>46</sup> Sept. 2025 Termination Notice, 90 Fed. Reg. at 45,400.

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*; Amnesty Int’l, *supra* note 45, at 354.

<sup>49</sup> Ctr. for Preventive Action, *Conflict in Syria*, Council on Foreign Rels.: Global Conflict Tracker (last updated Feb. 18, 2026).

violence in Syria as “sporadic” and “episodic,” the State Department warns that “[n]o part of Syria is safe from violence.”<sup>50</sup> Any Syrian TPS holders compelled to return to Syria would face grave risks to their health and personal safety.

Indeed, if the terminations of TPS status for Haiti and Syria are permitted to take effect, mixed-status households throughout the Nation will immediately be destabilized, forcing families into untenable choices. TPS-holder parents would be forced to choose between (1) returning to their country of origin alone and leaving their U.S. citizen children behind; (2) taking their U.S. citizen children with them to a dangerous country that the children do not know; or (3) staying in the United States without authorization and living with fear and uncertainty, knowing they cannot work legally and could be forcibly removed from the United States at any time. The district courts correctly found that each such outcome is unacceptable and would profoundly harm families. *See Miot* App. 81a (noting that “[n]one of these options is acceptable”); *Doe* App. 29a-30a (noting that Syrian TPS holders with children would “face decisions no one should have to make regarding family separation”).

This harrowing dynamic would severely harm the mental health and well-being of countless U.S.-citizen children who reside in Amici States and around the country.<sup>51</sup> Children of undocumented parents living in

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<sup>50</sup> Sept. 2025 Termination Notice, 90 Fed. Reg. at 45,400; U.S. Dep’t of State, *Syria Travel Advisory* (last updated Dec. 11, 2025).

<sup>51</sup> *See* Am. Immigr. Council, Fact Sheet, *U.S. Citizen Children Impacted by Immigration Enforcement* (June 24, 2021).

the United States frequently experience persistent anxiety, driven by the constant fear that a family member may be deported.<sup>52</sup> This fear can profoundly shape their daily lives. For example, the *New York Times* reported on a seventeen-year-old TPS-protected Haitian girl in Columbus, Ohio, whose family is so fearful of deportation and family separation that she and her nine-year-old sister “just go to school and back, school and home”—with her sister often refusing to go to school at all.<sup>53</sup> Another study found that 30 percent of Latino student participants—including U.S.-born students—altered their routines due to deportation fears.<sup>54</sup> This included refraining from driving, seeking medical care, attending religious services, or participating in afterschool activities; taking a different route to school; and staying home more often.<sup>55</sup>

These harms would have ripple effects throughout the Amici States and their schools, with far-reaching and long-term consequences. Indeed, a recent profile of a California school district noted that “fear is everywhere” and “rumors about ICE sweeps abound.”<sup>56</sup> As a result, families are “afraid to go to school.”<sup>57</sup> A recent Stanford-led study about chronic

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<sup>52</sup> Ronald B. Cox Jr. et al., *Validation of the Family Fear of Deportation Scale for Youth*, 72 *Fam. Rels.* 734, 736 (2023).

<sup>53</sup> See Miriam Jordan, *Fear Shadows Many Children in Immigrant Families*, *N.Y. Times* (Apr. 12, 2025).

<sup>54</sup> Randy Capps et al., *Immigration Enforcement and the Mental Health of Latino High School Students*, *Migration Pol’y Inst.* 2–3 (Sept. 2020).

<sup>55</sup> *Id.*

<sup>56</sup> Carolyn Jones, *‘Afraid to Go to School’: Immigrant Families in Salinas Are Gripped by Fear*, *CalMatters* (Feb. 20, 2025).

<sup>57</sup> *Id.*

absenteeism in Central Valley schools following immigration raids similarly found that the raids coincided with a 22 percent increase in daily student absences, with particularly large increases among the youngest students.<sup>58</sup> In Massachusetts, school administrators have reported thousands of absences due to fear of immigration enforcement.<sup>59</sup>

When families are forcibly separated, the consequences are even more severe. Parental deportation is deeply traumatic for children: it is linked to extreme psychological distress, anxiety, depression, post-traumatic stress disorder (PTSD), externalizing behaviors (such as aggression), and difficulties sleeping.<sup>60</sup> These children often face financial instability, housing and food insecurity, and education disruptions, such as increased school absences and lower academic engagement.<sup>61</sup> The long-term effects extend into adulthood. Adults who experienced parental deportation during childhood

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<sup>58</sup> Thomas S. Dee, ‘Recent Immigration Raids Increased Student Absences,’ Annenberg Inst. Brown Univ. (June 2025).

<sup>59</sup> Giulia McDonnell Nieto del Rio et al, ‘They’re Going to Deport Us’: Trump’s Immigration Policies Prompt Some Children to Skip School, Bos. Globe (Feb. 25, 2025).

<sup>60</sup> Miguel Pinedo & Christian Escobar, *Childhood Parental Deportations, Immigration Enforcement Experiences, and Posttraumatic Stress Disorder Among US-Born Latino Adults*, 2021, 114 Am. J. Pub. Health S495, S496 (July 2024); see Victoria D. Ojeda et al., *Deported Men’s and Father’s Perspective: The Impacts of Family Separation on Children and Families in the U.S.*, 11 Frontiers in Psychiatry 1, 10 (Mar. 17, 2020).

<sup>61</sup> Ojeda et al., *supra* note 60, at 7, 9–10; Ana Martinez-Donate et al., *Between the Lines: A Mixed-Methods Study on the Impacts of Parental Deportation on the Health and Well-Being of U.S. Citizen Children*, 9 J. Migration & Health 1, 5 (2024).

are more than twice as likely to suffer from PTSD as those who did not endure separation.<sup>62</sup>

The fracturing of immigrant families would have far-reaching impacts on children, their families, and on the States and communities in which they live. As the district courts correctly concluded, *Miot* App. 79a–81a; *see Doe* App. 29a–30a, the public interest strongly favors preserving the unity of these families.

### **B. Terminating Haiti’s and Syria’s TPS Designation Would Damage Amici States’ Economies and Workforces**

As the district courts found, *Miot* App. 79a–81a, *Doe* App. 30a, terminating Haiti’s and Syria’s TPS designation would also substantially harm Amici States’ economies by depleting their workforces and depriving them of tax revenue.

TPS holders work in a variety of important sectors, many of which are struggling to fill positions. Nearly half of all Syrian immigrants, for example, have historically worked in management, business, science, and arts occupations.<sup>63</sup> A recent estimate found that tens of thousands of Haitian TPS holders work in health care and other critical services, including 75,000 Haitian TPS holders working in “labor-short” industries, defined as those with

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<sup>62</sup> Pinedo & Escobar, *supra* note 60, at S501.

<sup>63</sup> Jie Zong, *Profile of Syrian Immigrants in the United States*, Migration Pol’y Inst. 5 (Nov. 2015).

openings for at least 4 percent of their workforce.<sup>64</sup> In Massachusetts, 40 percent of the front-line staff in nursing homes are foreign born, many from Haiti; they include nursing assistants, licensed nurses, and those working in housekeeping and dining services.<sup>65</sup>

In Delaware and Maryland, the Haitian community provides a significant contribution to the poultry industry, which is one of the region's most important sectors.<sup>66</sup> Poultry industry leaders are scrambling to plan for the loss of their workforce.<sup>67</sup> Other leading poultry plants, including Mountaire Farms, have indicated they anticipate losing significant percentages of their workforce due to the TPS termination.<sup>68</sup> In Illinois, JBS, the largest meat processing company in the world, and DOT Foods, the largest food redistributor in the country, have already terminated hundreds of immigrant workers, including

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<sup>64</sup> Haitian Bridge All., *supra* note 36; FWD.us, *The U.S. Must Redesignate Haiti for Temporary Protected Status (TPS)* (May 7, 2024); *see* Miot App. 80a (Haitian TPS holders “play indispensable roles in hospitality, food service, education, and manufacturing—industries that already face labor shortages and would be further destabilized by the loss of this workforce”).

<sup>65</sup> Kay Lazar, *Looming Deportations of Haitian Immigrants Could Cripple US Health Care, Leaders Warn*, *Bos. Globe* (Jan. 22, 2026).

<sup>66</sup> *See* Paul Kiefer, *Haitians Found Stability in Maryland's Poultry Plants. It's Now in Jeopardy*, *Wash. Post* (Aug. 11, 2025); Lisa Held, *Poultry Companies Quietly Connect With Democrats On Immigrant Policy Concerns*, *Civil Eats* (Jan. 14, 2026).

<sup>67</sup> Held, *supra* note 66.

<sup>68</sup> *Id.* (recognizing that the revocation of TPS, along with other humanitarian programs for immigrants and refugees, would likely result in the loss of more than 20 percent of jobs at chicken processing plants on the Delmarva Peninsula).

many Haitian TPS holders.<sup>69</sup> The removal of thousands of people from these food-supply industries would impact the national economy as well as exacerbating food security, increasing prices, and causing food shortages at grocery stores and restaurants.<sup>70</sup>

Haitian TPS holders also serve as personal care attendants, childcare workers, and other crucial roles in and relevant to state and local governments. For example, New York has the highest concentration of home health aides per capita, which is a major employment sector for immigrants—including those with TPS.<sup>71</sup> Employers worry about losing experienced aides who have built trust with patients and facing a significant and sudden staff shortage because those with TPS will lose their work authorization.<sup>72</sup> Terminating Haiti's TPS designation—and thus stripping such individuals of their legal status and work authorization—would therefore pose serious operational challenges to the Amici States' abilities to care for vulnerable populations such as children, elders, and developmentally disabled individuals. At minimum, the Amici States face significant costs to rehire or recruit care workers to fill such positions, because caregiving positions are challenging to fill in both the

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<sup>69</sup> See Juan Vassallo, *Immigrants Helped Save this Illinois Meatpacking Town. Trump Cut Hundreds from its Workforce.*, Investigate Midwest (Sept. 3, 2025).

<sup>70</sup> See *id.*

<sup>71</sup> Ralph Thomassaint Joseph, *Immigrant Home Care Workers in New York Face Uncertain Future Under Trump*, Documented NY (Aug. 15, 2025).

<sup>72</sup> *Id.*

private and public sector.<sup>73</sup> TPS holders are also crucial contributors to the broader economies in the Amici States and the Nation. According to 2024 data, Haitian TPS holders contribute \$5.9 billion annually to the U.S. economy, and Syrian TPS holders contribute \$100 million.<sup>74</sup> Sixty-nine percent of Haitian immigrants aged sixteen and older were in the civilian labor force in 2022, with high rates of participation in healthcare support and service industries.<sup>75</sup>

TPS holders from all countries have shown high rates of entrepreneurship—14.5 percent of TPS holders are entrepreneurs, as compared with 9.3 percent of the U.S.-born workforce.<sup>76</sup> The 2021 TPS population included more than 38,100 entrepreneurs, or self-employed workers, who generated \$1.5 billion in business income.<sup>77</sup> Earlier research found that Syrian immigrants owned businesses at more than triple the rate of U.S. citizens by birth.<sup>78</sup> These

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<sup>73</sup> See, e.g., Katie Johnston, 'Our Future Workforce': How 41 Haitian Migrants Solved a Marlborough Nonprofit's Staffing Shortage, *Bos. Globe* (Oct. 1, 2024).

<sup>74</sup> FWD.us, *supra* note 35.

<sup>75</sup> Beatrice Dain & Jeanne Batalova, *Haitian Immigrants in the United States*, Migration Pol'y Inst. (Nov. 8, 2023).

<sup>76</sup> Karen Aho, *Spotlight on the Economic Contributions of TPS Holders*, Am. Immigr. Council (Oct. 23, 2023).

<sup>77</sup> Am. Immigr. Council, *The Contributions of Temporary Protected Status Holders to the U.S. Economy* 4 (Sept. 2023).

<sup>78</sup> David Dyssegaard Kallick et al., *Syrian Immigrants in the United States*, Ctr. for Am. Progress (Dec. 13, 2016).

businesses range from medical offices to food services to automobile dealerships.<sup>79</sup>

In California, 7,800 self-employed TPS holders generated \$224.8 million in business income in 2021 alone.<sup>80</sup> These workforce contributions generate substantial state and federal tax revenue. In 2024, TPS holders from all countries contributed about \$29 billion annually to the U.S. economy,<sup>81</sup> with Haitian TPS holders alone contributing an estimated \$5.9 billion annually to the U.S. economy. TPS holders in 2024 paid \$7.8 billion in combined federal, state, and local taxes.<sup>82</sup>

Revoking TPS designations would endanger these economic contributions. Many current TPS holders would have no choice but to return to their countries of origin, taking their economic contributions with them. Those who remain would be stripped of their work authorization, causing them to lose their current employment and forcing them to accept lower paying “off the books” jobs. The result would be lower wages and less productivity in the Amici States’ economies. The average wage gap between undocumented and legal immigrants exceeds

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<sup>79</sup> *Id.*; see also Rommel H. Ojeda, *Thousands of Syrian Immigrants at Risk of Deportation After TPS Termination*, Documented NY (Oct. 15, 2025) (describing a Syrian TPS holder who arrived in 2014 and has risen to manage three Brooklyn restaurants, overseeing dozens of employees).

<sup>80</sup> Am. Immigr. Council, *supra* n. 77.

<sup>81</sup> FWD.us, *supra* n. 35.

<sup>82</sup> *Id.*

35 percent,<sup>83</sup> with particularly acute impacts for undocumented women. In California, for example, undocumented women make fifty-eight cents for every dollar paid to all men, forty-four cents compared to white men, and sixty-seven cents for every dollar paid to all women.<sup>84</sup> Such lower-wage, unauthorized employment would lead to declines in Amici States' tax revenues.

Finally, at least 41 percent of TPS households are homeowners and pay taxes on property having a total value of approximately \$19 billion.<sup>85</sup> Indeed, 67 percent of Syrian immigrants who have been here at least ten years are homeowners.<sup>86</sup> State and local economies would likely face a wave of mortgage foreclosures if current TPS holders are forced suddenly to leave the country or else accept lower-paid employment, thus harming property values and reducing property tax receipts.<sup>87</sup> Accordingly, terminating TPS designations for Haiti and Syria would cause substantial harm to the public interest by impairing economies, workforces, and tax bases in the Amici States and in communities across the country.

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<sup>83</sup> See George J. Borjas & Hugh Cassidy, *The Wage Penalty to Undocumented Immigration*, 61 Lab. Econ., no. 101757, 2 (Dec. 2019).

<sup>84</sup> Alejandra Reyes-Velarde, *'Double Disadvantage': These California Workers' Pay Gap Is Widest by Far*, CalMatters (July 27, 2023).

<sup>85</sup> Aho, *supra* note 76.

<sup>86</sup> Kallick et al., *supra* n. 78.

<sup>87</sup> See Jacob S. Rugh & Matthew Hall, *Deporting the American Dream: Immigrant Enforcement and Latino Foreclosures*, 3 Socio. Sci. 1053, 1055, 1067–68 (Dec. 2016).

The TPS-holder community, including Haitian and Syrian TPS holders, comprises countless dynamic contributors to the Amici States' economies. Terminating their legal status would cause substantial harms to Amici States' economies, workforces, and tax revenue.

### **C. Terminating Haiti's and Syria's TPS Designation Would Compromise Public Health and Increase Health Care Costs**

Terminating Haiti's and Syria's TPS designations would also have significant negative effects on public health in the Amici States and around the country. For example, Haitian and Syrian TPS holders fill critical health care roles, and their imminent loss of work authorization and potential deportations could cripple health care across the United States.<sup>88</sup>

Moreover, 55 percent of Haitian immigrants are covered by private health insurance (often through employer-sponsored insurance programs).<sup>89</sup> Ending work authorization for hundreds of thousands of Haitian TPS holders would deprive many of those individuals and their families of their employer-sponsored health insurance. *See Miot App.* 81a. The result would be to increase publicly funded health care expenditures—by increasing the proportion of Haitian

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<sup>88</sup> *See, e.g.,* Kay Lazar, *supra* note 65; Ananya Natchukuri, *Syrians Face a Precarious Future as US Cancels Temporary Protection*, Syria Direct (Nov. 4, 2025) (describing Syrian dentistry resident who would lose years of training if forced to return to Syria).

<sup>89</sup> *See* Dain & Batalova, *supra* note 75.

immigrants who are on public health insurance and by increasing public expenditures on emergency care provided to uninsured patients (e.g., through emergency health insurance, payments to hospitals and community health centers, and funding for public health programs).<sup>90</sup> Avoiding such costs is an important public interest weighing in favor of postponement.

Stripping Haitian and Syrian TPS holders of their legal status would also risk serious negative consequences for public health.<sup>91</sup> As courts have noted in other contexts, the “[p]ublic health is served when individuals freely seek preventive care and do not stave off care until they need emergency room treatment in the midst of a health crisis.” *City of Philadelphia v. Sessions*, 280 F. Supp. 3d 579, 609 (E.D. Pa. 2017). For example, the public greatly benefits when residents seek out diagnostic testing for and treatment of (or vaccination against) infectious diseases such as COVID-19, tuberculosis, and HIV.<sup>92</sup>

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<sup>90</sup> See U.S. Cong. Budget Off., *The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments* 8 (Dec. 2007); Am. Compl., Ex. 83, Decl. of Jesse M. Caplan at 1–2, *New York v. Trump*, No. 1:17-cv-05228 (E.D.N.Y. Oct. 4, 2017), ECF No. 55-83 (“Caplan Decl.”).

<sup>91</sup> See App. in Supp. of Pls.’ Mot. for Provisional Relief at 789–90, *Regents of Univ. of Cal. et al. v. U.S. Dep’t of Homeland Sec.*, No. 3:17-cv-05211 (N.D. Cal. Nov. 1, 2017), ECF No. 118–1; Caplan Decl. at 1–2; Meredith L. King, *Immigrants in the U.S. Health Care System: Five Myths That Misinform the American Public*, Ctr. for Am. Progress 7 (June 7, 2007).

<sup>92</sup> See, e.g., Cassandra D. Kelly-Cirino et al., *Importance of Diagnostics in Epidemic and Pandemic Preparedness*, 4 *BMJ Glob. Health* 1, 1, 6–7 (Jan. 29, 2019); Mark D. Perkins et al., *Diagnostic Preparedness for Infectious Disease Outbreaks*, 390

But as studies have consistently found, undocumented immigrants are often reluctant to seek medical treatment due to fear of detention and deportation.<sup>93</sup> This phenomenon is so well documented that health-care providers often take significant steps to combat it—as where one clinic “placed itself right next to a Baptist church in order to prevent raids by [ICE] agents that would scare away its mostly undocumented users.”<sup>94</sup>

Against this well-understood backdrop, terminating Haiti’s and Syria’s TPS protections would risk significant public health consequences. Many immigrants would lose employer-sponsored health care and be discouraged from seeking medical treatment due to fear of deportation. This would increase the broader community risk and would have many adverse results for immigrants and their families. For example, undocumented women are less likely to receive needed health care and preventive screenings than the general U.S. population, leading

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Lancet 2211, 2211 (Nov. 11, 2017); Alejandro Portes et al., *The U.S. Health System and Immigration: An Institutional Interpretation*, 24 Socio. F. 487, 501-02, 506 (Sept. 2009).

<sup>93</sup> See Sezer Kisa & Adnan Kisa, “No Papers, No Treatment”: *A Scoping Review of Challenges Faced by Undocumented Immigrants in Accessing Emergency Healthcare*, 23 Int’l J. for Equity in Health, no. 184, at 2, 6, 8 (2024); Omar Martinez et al., *Evaluating the Impact of Immigration Policies on Health Status Among Undocumented Immigrants: A Systematic Review*, 17 J. Immigr. & Minority Health 947, 966 (June 2015).

<sup>94</sup> Portes et al., *supra* note 92, at 506.

to significantly higher rates of conditions like cervical cancer, birth complications, and neonatal morbidity.<sup>95</sup>

And newly undocumented former TPS holders may not seek treatment for their children or other family members—who may be U.S. citizens.<sup>96</sup> For example, studies show that children of undocumented immigrants are often sicker when seeking emergency room care and frequently miss preventive annual exams.<sup>97</sup> The results can be fatal; a child in Oklahoma died “when his parents delayed seeking medical treatment because they feared that hospital officials would report them to ICE.”<sup>98</sup>

Because terminating Haiti’s and Syria’s TPS designations would raise healthcare costs and pose public health risks, the public interest weighs in favor of postponement.

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<sup>95</sup> Am. Coll. of Obstetricians & Gynecologists, Comm. Op. no. 627, *Health Care for Unauthorized Immigrants*, 125 *Obstetrics & Gynecology* 755, 756 (Mar. 2015).

<sup>96</sup> See Lila Flavin et al., *Medical Expenditures on and by Immigrant Populations in the United States: A Systematic Review*, 48 *Int’l J. Health Servs.* 601, 617–18 (Oct. 2018).

<sup>97</sup> See King, *supra* note 91; Katherine Yun et al., *Parental Immigration Status Is Associated with Children’s Health Care Utilization: Findings from the 2003 New Immigrant Survey of U.S. Legal Permanent Residents*, 17 *Maternal & Child Health J.* 1913, 1916–19 (Dec. 2013).

<sup>98</sup> Elizabeth M. McCormick, *Federal Anti-Sanctuary Law: A Failed Approach to Immigration Enforcement and a Poor Substitute for Real Reform*, 20 *Lewis & Clark L. Rev.* 165, 199 (2016).

#### **D. Terminating Haiti’s and Syria’s TPS Designation Would Harm Public Safety**

The public has a strong interest in effective law enforcement and public safety at the state and local levels, both of which would be undermined by terminating Haiti’s and Syria’s TPS designations. *See Miot App.* 81a.

Because TPS holders and their families have built lives in the United States, some may try to stay in this country even if their TPS status is terminated. But individuals who lack legal status are less likely to report crime—even crimes in which they themselves are victims—due to fear of being removed.<sup>99</sup> Fear of removal, or of having a family or community member removed, makes victims and witnesses reluctant to come forward, to testify in court, and to seek safety in a domestic violence shelter.<sup>100</sup> When law enforcement is unable to obtain evidence of crimes and maintain witness cooperation at trial, public safety suffers.<sup>101</sup>

Contrary to unsubstantiated contentions, recent arrivals of immigrants have not led to any “crime

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<sup>99</sup> Nik Theodore, *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement*, Dep’t of Urb. Planning & Pol’y, Univ. of Ill. at Chi. 14 (May 2013).

<sup>100</sup> *See* James Queally, *Fearing Deportation, Many Domestic Violence Victims Are Steering Clear of Police and Courts*, L.A. Times (Oct. 9, 2017).

<sup>101</sup> *See* Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Ctr. for Am. Progress (Jan. 26, 2017) (sanctuary counties have lower crime rates than comparable non-sanctuary counties).

wave.”<sup>102</sup> Moreover, TPS applicants must meet specified criteria to be granted that status, including screenings for criminal history and background checks.<sup>103</sup> And conviction for certain criminal offenses can trigger withdrawal of TPS status. *See* 8 C.F.R. §§ 244.14(a)(1), 244.4(a).

Terminating Haiti’s and Syria’s TPS designations would pose challenges to jurisdictions around the country in enforcing their criminal codes and protecting public safety. The Amici States’ interests in maintaining public order weigh heavily in favor of postponement.

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<sup>102</sup> *See* Ted Hesson & Mica Rosenberg, *Trump Says Migrants Are Fueling Violent Crime. Here Is What the Research Shows*, Reuters (Apr. 11, 2024); Maria Cramer et al., *‘Migrant Crime Wave’ Not Supported by Data, Despite High-Profile Cases*, N.Y. Times (Feb. 15, 2024).

<sup>103</sup> *See* Verónica Egui Brito & Syra Ortiz Blanes, *In a Few Weeks, Hundreds of Thousands of Venezuelans Will Lose TPS. What You Need to Know*, Miami Herald (Feb. 13, 2025).

**CONCLUSION**

The Court should affirm the postponement orders.

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