

No. 25A999

IN THE
SUPREME COURT OF THE UNITED STATES

DONALD J. TRUMP, President of the United States, *et al.*,

Applicants,

v.

FRITZ EMMANUEL LESLY MIOT, *et al.*,

Respondents.

ON APPLICATION TO STAY THE ORDER ISSUED BY THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BRIEF OF *AMICI CURIAE*
LOCAL GOVERNMENTS AND LOCAL GOVERNMENT LEADERS
IN SUPPORT OF RESPONDENTS

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TABLE OF CONTENTS

TABLE OF AUTHORITIES.....	ii
STATEMENT OF INTEREST.....	1
SUMMARY OF ARGUMENT.....	1
ARGUMENT.....	3
I. HAITIAN TPS HOLDERS HAVE DEEP ROOTS IN <i>AMICI</i> COMMUNITIES AND ARE INTEGRAL TO LOCAL ECONOMIES AND WORKFORCES.....	4
A. Across the Country, Haitian TPS Holders Are Vital to Local Economies, And Disproportionately Occupy Roles in Essential Industries, Including Healthcare.	5
B. Haitian TPS Holders Have Contributed to Reviving Struggling Rust Belt Towns and Industries.	12
II. TERMINATING TPS FOR HAITI WILL HARM U.S. CITIZEN FAMILY MEMBERS OF TPS HOLDERS AND BURDEN LOCAL GOVERNMENT SYSTEMS.....	15
A. Thousands of U.S.-Born Children Will Face Family Separation, Causing Numerous Harmful Human Impacts and Burdening Local Governments.....	15
B. Former TPS Holders Will Face Economic Vulnerability, Causing Downstream Strains on Local Public Health and Safety Nets.....	19
III. AGGRESSIVE IMMIGRATION ENFORCEMENT AGAINST FORMER TPS HOLDERS WOULD THREATEN RIPPLING HARMS IN <i>AMICI'S</i> COMMUNITIES.....	22
CONCLUSION.....	25
ADDITIONAL COUNSEL.....	26
Appendix A – List of <i>Amici Curiae</i>	27

TABLE OF AUTHORITIES

CASES

Jones v. District of Columbia,
177 F. Supp. 3d 542 (D.D.C. 2016).....3

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Amy Stulick, *Inside State Initiatives Boosting Immigrant Labor in Nursing Homes Amid Trump’s Deportation Threats,* Skilled Nursing News (Jan. 27, 2025)7

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Christina Vazquez, <i>How many public school students in Miami-Dade have connections to Haiti? We now know</i> , Local 10 News (Feb. 6, 2026)	18
City of Boston Plan. Dep't Rsch. Div., <i>Foreign Born in Boston: Haitians</i> (May 5, 2025)	6
City of Boston Plan. Dep't Rsch. Div., <i>Noncitizen Haitians in Boston</i> , Mayor's Off. of Immigr. Advancement (April 2025)	10, 15
Danny McDonald et al., <i>In Greater Boston, a temporary court reprieve and a legal limbo for Haitians</i> , Boston Globe (Feb. 3, 2026)	11
David J. Bier, <i>One in Five ICE Arrests Are Latinos on the Streets With No Criminal Past or Removal Order</i> , Cato Inst. (Aug. 5, 2025)	23
<i>Deportation Threatens the Psychological, Physical, and Socioeconomic Well-being of Children and Families</i> , Soc'y for Rsch. on Child Dev. (Mar. 2025).....	16
<i>Florida's Home Care Crisis Deepens as Nation Faces Direct Care Workforce Shortage</i> , Home Care Assoc. of Florida (May 6, 2025)	8
Iqbal Pittalwala, <i>Child mental health crisis tied to immigration enforcement</i> , Univ. of Cal., Riverside News (Aug. 8, 2025).....	16
Jacqueline Charles, <i>'I am breathing, but I am not living': Fear rises among Haitians as TPS end nears</i> , Miami Herald (Jan. 30, 2026)	5
Jennifer J. Lee, <i>Legalizing Undocumented Work</i> , 42 Cardozo L. Rev. 1893 (2021)	19
Jessica Orozco, <i>Springfield employment gains among highest in Ohio since pandemic</i> , Springfield News-Sun (June 20, 2025)	13
Jesus Villero, Brendan Warshauer & Youran Wu, <i>550,000 Workers Lose Status by End of 2025: Potential Impact by State and Industry</i> , Penn Wharton Budget Model (Nov. 19, 2025).....	6
Jill H. Wilson, Cong. Rsch. Serv., <i>Temporary Protected Status and Deferred Enforced Departure</i> (Aug. 28, 2025).....	4

John Bedell & WHIO Staff, <i>I-TEAM: Child welfare system concerns loom with Haitian temporary legal status set to expire in days</i> , WHIO (Jan. 26, 2026)	17
Karen Kasler, <i>Ohio agencies making plans to help kids of Haitians if TPS ends and ICE surges</i> , Statehouse News Bureau, (Feb. 5, 2026)	17
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Letter from Maura Healey, Governor of Mass., to Kristi Noem, Secretary of the Dep’t of Homeland Security Urging the Extension of TPS for Haiti (Jan. 30, 2026)	5
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Mathew V. Kiang, Kate M. Bubar & Yvonne Maldonado, <i>Modeling Reemergence of Vaccine-Eliminated Infectious Diseases Under Declining Vaccination in the US</i> , 33 JAMA 2176 (2025)	20
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<i>Mayor Daniella Levine Cava joins Haitian community in support of ruling blocking termination of TPS for Haitians</i> , Miami-Dade Cnty. Off. of the Mayor (Feb. 3, 2026).....	9
Megan Henry, <i>Hundreds of Ohioans show support for Haitians, federal judge blocks TPS ending for Haitians</i> (Feb. 2, 2026).....	14
Michael Dorgan, <i>Renee Good was shot 4 times, including in the head, fire report shows</i> , Fox News (Jan. 16, 2026)	22

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Miriam Jordan, <i>An Ohio City Faces a Future Without Haitian Workers: It’s Not Going to Be Good,</i> N.Y. Times (Aug. 18, 2025)	12, 13, 14
Miriam Jordan, <i>Haitians Are Vital to U.S. Health Care. Many Are About to Lose Their Right to Work</i> , N.Y. Times (Jan. 29, 2026)	7, 11, 20
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Molly Bryden, <i>Revoking Temporary Protected Status for Haitian immigrants will further destabilize Springfield’s economy</i> , Pol’y Matters Ohio (Feb. 3, 2026).....	13
Nancy Cutler, <i>How end of Haitian TPS threatens care for people with disabilities</i> , Lohud (Mar. 9, 2026).....	11
Nic Garcia & KJ Hiramoto, <i>ICE Agent Shoots at Car in California Standoff: Driver, CPB Agents Share Conflicting Accounts to Police</i> , FOX11 LA (Aug. 16, 2025).....	23
Nicole Foy, <i>We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days.</i> , ProPublica (Oct. 16, 2025).....	22
Phillip Connor, <i>Haitian TPS Holders Make the U.S. Stronger</i> , UndocuBlack Network, Haitian Bridge Alliance, & FWD.us (Jan. 2026)	<i>passim</i>
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Simón Rios, <i>As legal status is set to end for many Haitians, Mass. health care sector braces for staffing shortages</i> , WBUR (Aug. 7, 2025)	10, 12, 20
Sofoklis Goulas, <i>Twelve facts about the economics of education</i> , Brookings (June 27, 2024)	18
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Stephen Starr, <i>Haitians helped boost Springfield’s economy - now they’re fleeing in fear of Trump</i> , The Guardian (Oct. 25, 2025).....	12, 13
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Zahida Siddiqi, <i>Fears Mask a Deeper Workforce Crisis Unfolding in Nursing Homes Amid Tighter Immigration Policies</i> , Skilled Nursing News (July 29, 2025)	7

STATEMENT OF INTEREST

Amici are American cities and local government leaders who share a strong interest in preserving the wellbeing of their community members, which includes Haitians with Temporary Protected Status (TPS).¹ Because *amici* represent jurisdictions with some of the largest Haitian populations in the United States, we are well aware of the crucial social, economic, and cultural contributions of Haitian TPS holders to our society. Collectively, *amici* represent the cities and counties where thousands of Haitian TPS holders reside. These constituents—many of whom have lived in our communities for lengthy periods—are valued employees and employers, homeowners and neighbors, co-workers and small business owners, teachers and students, parents and children, caregivers and healthcare workers, and religious leaders. As individuals, they will suffer real and irreparable harms if legal status is stripped, and our communities will lose important contributors to our economies, institutions, and families.

SUMMARY OF ARGUMENT

In seeking to stay the district court’s detailed and well-reasoned decision, the Government ignores not only the considerable administrative record in this case (which contained over 1,450 pages) explaining why Haiti is still a “nation deep in crisis,” but it also casts aside the irreparable harms that stripping legal status from an entire population of essential residents, workers, and community members will

¹ No party or party’s counsel authored this brief in whole or in part and no party or party’s counsel contributed money intended to fund preparation or submission of this brief. A list of all *amici* is provided at Appendix A.

engender. If this Court grants the Government's request the resulting loss of status for thousands of Haitians will cause profound harms in *amici* communities—to both our local governments and to our residents. According to the Government, relief is necessary to proceed with terminating the legal status of thousands of our residents, and to begin removal proceedings, while this case is fully litigated in the lower courts. But the Government cannot carry its heavy burden of meeting any of the requirements for an emergency stay—especially because terminating temporary protected status for Haitians while the legality of that executive action is adjudicated will cause immediate irreparable harms and is overwhelmingly contrary to the interests of the public.

Amici are intimately aware that when immigrants living in our cities have legal status and are authorized to work lawfully, they contribute to our economies as valuable members of our workforces, as taxpayers, and through their spending power. They not only participate openly in our economies, but also educate their children (many of whom are U.S. citizens), access healthcare, and otherwise deeply integrate into American communities, which benefits the community as a whole. In sharp contrast, the proposal that the Government seeks here, on an emergency basis no less, will cause immeasurable human harms and trauma to TPS holders and their families and burden *amici's* local economies, industries, and governments. As soon as this Court issues a stay, residents who had legal status when they went to bed the night before will be subject to deportation in the morning. Our communities will

suddenly become home to thousands of undocumented immigrants, who will be unable to lawfully work in essential jobs and afraid to interact with local government.

The harm of issuing a stay will thus extend beyond Haitian TPS holders to *amici* cities and economy at large. Staying the district court's order would also lead to uncertainty for all TPS holders, as the Government continues to indiscriminately terminate TPS status for every country whose renewal comes before it. *See App. for Stay at 24.*

For these reasons, and those presented by Respondents' Brief in Opposition to the Government's Application, this Court should deny the Government's stay request.

ARGUMENT

The "interests of the public at large" weigh unequivocally against granting the Government's stay request. *See Nken v. Holder*, 556 U.S. 418, 434 (2009). This is not only because Haiti remains a country deep in crisis where immigrants wrongly removed are likely to face terror and violence, but also because, as described below, of the imminent and grave harms to residents, local economies, and essential care industries across this nation. *See Trump v. Int'l Refugee Assistance Project*, 582 U.S. 571, 580 (2017). In cases like this one, which affect many nonparties, 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).

I. HAITIAN TPS HOLDERS HAVE DEEP ROOTS IN *AMICI* COMMUNITIES AND ARE INTEGRAL TO LOCAL ECONOMIES AND WORKFORCES

Haitian nationals initially became eligible for Temporary Protected Status in the United States in 2010. In the 16 years since—despite living with the uncertainty and instability attendant to having temporary status—these residents have built their lives and naturally integrated into the social, physical, and economic fabric of *amici*'s communities. Haitian TPS beneficiaries—all of whom were vetted by the federal government for disqualifying criminal histories—have completed formal education, started businesses, participated at exceptionally high rates in the workforce, filled positions in critical industries, and raised U.S. citizen children in our communities.

TPS holders from Haiti have played a vital role in contributing to local economies throughout the United States. Over half of Haitian TPS holders, approximately 158,000 people, reside in Florida.² Significant populations also reside in Massachusetts, New Jersey, New York, and Ohio.³ And many Haitian TPS holders are long term residents of our communities: as of 2017, the average length of residency for Haitian TPS holders was 13 years and 16 percent of Haitian TPS

² See Jill H. Wilson, Cong. Rsch. Serv., *Temporary Protected Status and Deferred Enforced Departure*, (Aug. 28, 2025) (Approximately 330,735 Haitian nationals with TPS status currently live in the U.S., making up approximately a quarter of the total 1,297,635 TPS beneficiaries).

³ Phillip Connor, *Haitian TPS Holders Make the U.S. Stronger*, UndocuBlack Network, Haitian Bridge Alliance, & FWD.us (Jan. 2026), <https://perma.cc/BRB9-ABJV>.

holders had lived in the U.S. for two decades or more.⁴ Now, nine years later, significantly more TPS holders from Haiti have passed the two-decade mark. More than one third of these residents arrived in the U.S. under the age of 15.⁵ Other TPS holders were adult professionals who once had comfortable lives in Haiti before gang violence forced them to flee—and in the U.S., they have worked in jobs that no one else would take—including those in critical healthcare roles that fill staffing shortages and labor gaps. Some have helped to revive struggling small towns by bringing back manufacturing-based economies. All the while, Haitian TPS holders paid taxes, bought property, and put their children through trade school or higher education.⁶

A. Across the Country, Haitian TPS Holders Are Vital to Local Economies, and Disproportionately Occupy Roles in Essential Industries, Including Healthcare.

Across the country, TPS holders contribute to the financial health of the jurisdictions where they reside. Collectively, TPS-eligible Haitians contribute \$4.4

⁴ Robert Warren & Donald Kerwin, *A Statistical and Demographic Profile of the US Temporary Protected Status Populations from El Salvador, Honduras, and Haiti*, 5 J. Migration & Hu. Security 577, 578 (2017) (estimates based on analysis of the Census Bureau’s American Community Survey). Notably, both El Salvador and Honduras, among other countries, were first designated for TPS in the late 1990s or early 2000s and have been extended or redesignated since, so TPS holders from those countries too are long-term, fully integrated residents of *amici*’s communities. *Id.* at 581.

⁵ *Id.*

⁶ See, e.g., Jacqueline Charles, *‘I am breathing, but I am not living’: Fear rises among Haitians as TPS end nears*, Miami Herald (Jan. 30, 2026), <https://perma.cc/EKF7-3LEC>; Sarah Rahal & Lila Hempel-Edgers, *Court’s ruling on Haiti TPS brings relief but little certainty to immigrants in Massachusetts*, Boston Globe (Mar. 8, 2026), <https://perma.cc/5C5R-V2RE>.

billion annually to the U.S. economy.⁷ In Florida, approximately 93,000 TPS holders are actively employed, annually contributing \$1.5 billion to the economy of the Miami metropolitan area, \$329 million to the economy of Orlando, and \$125 million to the economy of Tampa.⁸ These residents of Florida also contribute \$300 million in federal and payroll taxes, and \$306 million in state and local taxes.⁹ Similarly, the estimated 40,000 Haitian TPS holders in New York contribute approximately \$1.1 billion annually to the state's economy and an additional \$281 million in federal, state, and local taxes.¹⁰ In Boston and Suffolk County, foreign-born Haitian residents contribute \$2.4 billion dollars to Boston's Gross City Product, pay \$33 million in state income tax, and generate more than 5,000 indirect jobs.¹¹ These macro-economic contributions are critical to the economy at the national, state and local levels.

Labor force participation by TPS holders is exceptionally high. The overall national employment rate of TPS holders has been estimated to be between 80 and 94 percent in recent years, higher than both the U.S.-born population and foreign-

⁷ Letter from Maura Healey, Governor of Mass., to Kristi Noem, Secretary of the Dep't of Homeland Security Urging the Extension of TPS for Haiti (Jan. 30, 2026), <https://perma.cc/9FYM-H4YB>.

⁸ Connor, *supra* note 3 (analyzing data from the U.S. Census Bureau's American Community Survey).

⁹ *Id.*

¹⁰ *Id.*

¹¹ City of Boston Plan. Dep't Rsch. Div., *Foreign Born in Boston: Haitians*, at 21–22 (May 5, 2025), <https://perma.cc/DU6S-LN3Y>.

born non-TPS residents.¹² Some Haitian TPS beneficiaries put food on American tables, working both as agricultural laborers and as cooks and servers in the restaurant industry.¹³ They also keep our local consumer economies moving as employees in factories, stockers and packers, delivery drivers, security guards, and retail workers.¹⁴

Crucially, many Haitian TPS holders are caregivers working in health, disability, and elder care fields that have faced extreme labor shortages creating a workforce crisis in many states.¹⁵ Many of the Haitian immigrants who care for elderly members of our communities have received training and are certified as nursing assistants, and work as home health aides or as staff in senior living facilities.¹⁶ In many cases, states have invested in training programs for immigrant

¹² See *The Contributions of Temporary Protected Status Holders to the U.S. Economy*, Am. Immigr. Council, at 2 (Sept. 2023) <https://perma.cc/D65Q-6SDV> (estimating a 94.6% national employment rate of TPS holders in 2021 based on an analysis of 1-year American Community Survey data from 2021); Jesus Villero, Brendan Warshauer & Youran Wu, *550,000 Workers Lose Status by End of 2025: Potential Impact by State and Industry*, Penn Wharton Budget Model (Nov. 19, 2025), <https://perma.cc/7RNH-GKN5> (estimating 79.4% overall labor force participation among TPS holders based on 2022-2023 American Community Survey data).

¹³ Am. Immigr. Council, *supra* note 12.

¹⁴ Connor, *supra* note 3.

¹⁵ Miriam Jordan, *Haitians Are Vital to U.S. Health Care. Many Are About to Lose Their Right to Work*, N.Y. Times (Jan. 29, 2026), <https://perma.cc/6VPJ-DY9P> (“Haitians filled about 11,000 health care positions in the United States in 2023...”).

¹⁶ An estimated 13,000 Haitian TPS holders are nursing assistants, and an additional 8,000 are caregivers. Connor, *supra* note 3. See also Tami Luhby, *Many Haitians may soon not be able to work in the U.S. That will make caring for the elderly much harder*, CNN Business (Feb. 1, 2026), <https://perma.cc/9YPV-5Z8F>.

workers to become certified for health sector roles.¹⁷ In addition to filling direct care roles, Haitian TPS holders and other immigrants make up 30 percent of maintenance and cleaning staff in nursing homes.¹⁸

The role of Haitian immigrants in the elder-care field is especially vital given persistent and severe workforce shortages in the industry: Florida has the second-largest population of adults over age 65 in the nation, yet “struggles to meet the needs of its rapidly aging population.”¹⁹ Historically, U.S.-born workers have tended to avoid employment in the elder-care industry, both because of the relatively low pay and the inherent demands of the work.²⁰ The essential role of immigrants in this sector is evident: a network of nonprofits that provide long-term care to seniors has said that for some of their member organizations foreign-born employees make up 40 to 75 percent of their staff.²¹

The immediate impacts on the health and well-being of seniors of losing these qualified and experienced healthcare workers will be dire. As the Home Care

¹⁷ See Amy Stulick, *Inside State Initiatives Boosting Immigrant Labor in Nursing Homes Amid Trump’s Deportation Threats*, Skilled Nursing News (Jan. 27, 2025), <https://perma.cc/B6GR-9NPA>.

¹⁸ Zahida Siddiqi, *Fears Mask a Deeper Workforce Crisis Unfolding in Nursing Homes Amid Tighter Immigration Policies*, Skilled Nursing News (July 29, 2025), <https://perma.cc/667F-29JQ>.

¹⁹ *Florida’s Home Care Crisis Deepens as Nation Faces Direct Care Workforce Shortage*, Home Care Assoc. of Florida (May 6, 2025), <https://perma.cc/T7DK-FQN3>.

²⁰ See Abel Fernández, *Trump’s immigration policy shakes up the elder care sector: ‘Losing these caregivers is a profound blow,’* El País (July 29, 2025), <https://perma.cc/2GLV-FYMB>.

²¹ *Id.*

Association of Florida has warned, “[w]ithout enough workers to deliver critical services, seniors are at greater risk of avoidable hospitalizations, premature nursing home placement, and lower quality of life.”²² The greater Miami metropolitan area would be particularly hard-hit if TPS is terminated for Haitian nationals—90,000 Haitian TPS holders live in the area, which is also home to the state’s highest concentration of retirees.²³ As this data demonstrates, the Government’s attempt to terminate TPS for Haitians (and other foreign-born populations) without adhering to statutorily proscribed procedures directly threatens the ability of vulnerable seniors in our communities to maintain dignity and independence as they age.

Unsurprisingly then, local jurisdictions, especially cities in Florida, have urged the federal government not to plunge their communities into fear, uncertainty, and economic upheaval by terminating TPS status for Haitians. Miami-Dade County Mayor Daniella Levine Cava recently conveyed her support of the local Haitian community, standing with Haitian community leaders and reaffirming that “Haitian TPS holders are essential to the economy and culture of Miami-Dade County.”²⁴ Miami Mayor Eileen Higgins echoed those sentiments, calling the revocation of TPS

²² *Id.* (discussing study finding that “many for-profit nursing homes use sedatives as a form of control when they are understaffed because ‘patients in chemical restraints require less work’ allowing them to operate with fewer workers”).

²³ Max Klaver, *Haitian TPS ends on Tuesday. No economy will be hit harder than Greater Miami’s*, Miami Herald (Feb. 3, 2026), <https://perma.cc/DU2H-GZSG>.

²⁴ *Mayor Daniella Levine Cava joins Haitian community in support of ruling blocking termination of TPS for Haitians*, Miami-Dade Cnty. Off. of the Mayor (Feb. 3, 2026), <https://perma.cc/3KMS-HLHG>.

“cruel” and stating that “our Haitian community is part of the backbone of our city.”²⁵ Similarly, the Mayor and City Council of the City of North Miami unanimously adopted a resolution condemning the termination of TPS for Haiti and highlighting the “profound harm” that would result to “families, employers, schools, and community institutions.”²⁶

Haitian TPS holders play a vital role in the health, disability, and elder care work force in Boston, as well. Like many cities, Boston has historically faced healthcare staffing shortages, and Haitians have been filling critical roles as, for example, certified nursing assistants.²⁷ In fact, the number one occupation of Haitian TPS holders in Boston is nursing assistant, followed by janitor, home health aide, cook, and taxi driver.²⁸ Thus, nursing home facilities in the Boston area will be hard

²⁵ Sergio R. Bustos, *Miami mayor slams Trump for asking federal judge to end TPS for Haitians during court appeal process*, WLRN Pub. Media (Feb. 6, 2026), <https://perma.cc/P9SK-TW9K>.

²⁶ *Resolution No. 2026-R-1: A Resolution of the Mayor and City Council of the City of North Miami, Florida, Denouncing the Termination of Temporary Protected Status (“TPS”) for Haiti and Urging President Donald J. Trump and the United States Congress to Reinstate TPS Protections for Haitians; Providing for an Effective Date and All Other Purposes* (Jan. 27, 2026), <https://perma.cc/5HJS-JVTY>.

²⁷ See Simón Rios, *As legal status is set to end for many Haitians, Mass. health care sector braces for staffing shortages*, WBUR (Aug. 7, 2025), <https://perma.cc/5VV4-A25S> (“State officials say health care facilities [in Massachusetts], which already struggle to hire enough workers, could be ‘seriously disrupted’ by the termination of TPS and other humanitarian programs, which have allowed thousands of immigrants to enter the workforce.”); *Lawmakers Stand with Haitian Community as TPS Expiration Nears*, Mass. Immigr. & Refugee Advocacy Coalition (Jan. 22, 2026), <https://perma.cc/8ZHJ-7TAW> (in a hearing, members of Congress from Massachusetts discussed the contributions of Haitian TPS holders to Massachusetts’ economy, including the healthcare sector).

²⁸ City of Boston Plan. Dep’t Rsch. Div., *Noncitizen Haitians in Boston*, Mayor’s Off. of Immigr. Advancement (Apr. 2025), <https://perma.cc/VMK8-ZYAY>.

hit if the Administration’s termination of TPS for Haitians is allowed to proceed. The medical director of one Boston-area network of nursing homes warned “[w]e are quite reliant on these migrant workers... And suddenly a large portion of that will just evaporate.”²⁹ Disability support service providers in Greater Boston, too, have already faced staffing shortages because of the termination of TPS for Haiti, with one organization losing 100 Haitian workers as a consequence of the instability created by the DHS Secretary’s actions regarding Haiti’s TPS designation in the past year.³⁰ Beyond the economic impact of losing these essential workers, people with disabilities are also at risk of losing trusted and experienced caretakers.

Similarly, in Springfield, Ohio, many Haitian TPS holders work in critical healthcare roles, including as nurses and nurses assistants in community health care clinics and as caregivers for seniors.³¹ As the county’s health commissioner explained, “[t]hese folks are filling jobs that are some of the hardest for us to keep staffed.”³² The same is true in New York State, where the majority of the 25,000-strong Haitian TPS workforce serves their communities as caregivers or nursing assistants.³³ In Rockland County, just north of New York City, for example, non-profit agencies that provide services and residences for people with disabilities rely on the dedication of

²⁹ Rios, *supra* note 27.

³⁰ Danny McDonald et al., *In Greater Boston, a temporary court reprieve and a legal limbo for Haitians*, Boston Globe (Feb. 3, 2026), <https://perma.cc/52DS-KVZC>.

³¹ Jordan, *Haitians Are Vital to U.S. Health Care*, *supra* note 15.

³² *Id.*

³³ Connor, *supra* note 3.

Haitian TPS holders.³⁴ In a field where employee retention is difficult—non-profit caregiving agencies are chronically understaffed and struggle with high turnover rates—Haitian TPS holders are long-term employees who even take on extra shifts to fill labor gaps.³⁵ Some of these immigrants have worked as care professionals for a decade or more.³⁶

The consequences of staying the district court’s order and allowing the DHS Secretary to proceed with revoking work authorization from these essential workers will be felt immediately and concretely in cities around the country, with healthcare facilities serving fewer patients, providing lower quality care, or even closing.³⁷

B. Haitian TPS Holders Have Contributed to Reviving Struggling Rust Belt Towns and Industries.

Haitian TPS holders have additionally played a vital role in revitalizing the manufacturing-based economies of a number of small American towns, especially in the Midwest. For example, approximately 10,000 Haitians—including many TPS beneficiaries—now live and work in Springfield, Ohio, a working-class manufacturing city, making up a significant percentage of the city’s total population of 58,000.³⁸ The

³⁴ Nancy Cutler, *How end of Haitian TPS threatens care for people with disabilities*, Lohud (Mar. 9, 2026), <https://perma.cc/7NBG-2ESM>.

³⁵ *Id.*

³⁶ *Id.*

³⁷ Rios, *supra* note 27; see also Angela Bovill, *Viewpoint: Our Haitian healthcare workers must be protected*, Worcester Bus. Journal (Jan 21, 2026) (“Losing even a portion of [the long-term care] workforce will lead to fewer available beds, longer wait times, increased burnout for remaining staff, and potentially the closure of facilities families rely on. There is no backup workforce waiting to fill these roles.”).

³⁸ Miriam Jordan, *An Ohio City Faces a Future Without Haitian Workers: ‘It’s Not Going to Be Good,’* N.Y. Times (Aug. 18, 2025), <https://perma.cc/9DSQ-86H7>.

influx of Haitian immigrant workers to Springfield has been essential to reshaping and reviving the economy of the city, which had experienced decades of population decline and economic stagnation.³⁹ The Haitian immigrant population has contributed to a reverse of this trend in recent years, as evidenced by Springfield's distinction of holding the second-highest employment growth rate in the state since the COVID-19 pandemic.⁴⁰ Haitian immigrants in Springfield have filled manufacturing, warehouse, distribution, and service sector jobs, and have opened and operate small businesses.⁴¹ The same is true in other Rust Belt towns, such as Lima and Findley, Ohio, and small factory towns in Pennsylvania where Haitians and other immigrants with temporary statuses have filled labor shortages in automotive, chemical, and plastics manufacturing plants, as well as in warehouses.⁴²

³⁹ Stephen Starr, *Haitians helped boost Springfield's economy - now they're fleeing in fear of Trump*, The Guardian (Oct. 25, 2025), <https://perma.cc/B4E5-SU5Y>.

⁴⁰ *See id.*; see also Jessica Orozco, *Springfield employment gains among highest in Ohio since pandemic*, Springfield News-Sun (June 20, 2025). <https://perma.cc/UT5P-EGP8>; see also Jordan, *An Ohio City Faces a Future Without Haitian Workers*, *supra* note 38. ("Over the last four years, Springfield had rebounded, thanks in large part to the arrival of Haitian immigrants").

⁴¹ Molly Bryden, *Revoking Temporary Protected Status for Haitian immigrants will further destabilize Springfield's economy*, Pol'y Matters Ohio (Feb. 3, 2026), <https://perma.cc/DU8V-3UVL>.

⁴² Stephen Starr, *Midwestern cities fear fallout of Trump revoking Haitian residents' status*, The Guardian (Mar. 3, 2025), <https://perma.cc/KA6G-H5R6> (describing cities in Ohio); Stephen Starr, *A Pennsylvania town is thriving with Haitian immigrants - ad is the latest target of Republican hate*, The Guardian (Oct 20, 2024), <https://perma.cc/H9VS-JS8Q> (describing population growth and economic revitalization driven by Haitian immigrants moving to Charleroi, Pennsylvania, as well as accompanying political tensions).

The threat to local economies in these small towns of terminating TPS is already evident. Since the Secretary announced the termination, Haitian immigrants have begun to leave Springfield or not show up to work and the city is showing signs of an economic downturn as a result, with the labor force beginning to contract and tax revenue flattening.⁴³ This is occurring, in part, because in some states, including Ohio, TPS holders' drivers licenses expired along with the original date of TPS expiration (in early February) despite the district court's stay.⁴⁴ Without valid driver's licenses, TPS holders struggle to commute to work and hold jobs. The macro-economic impacts will also be severe: reporting suggests that if Haitian TPS holders leave Springfield, Clark County would lose approximately \$300 million in annual spending, with an estimated total economic loss to the County of over \$400 million.⁴⁵

⁴³ Brydan, *supra* note 41; *see also* Starr, *Haitians helped boost Springfield's economy*, *supra* note 39 ("Springfield businesses, big and small, are struggling in the aftermath of thousands of Haitians fleeing the town after the Trump administration's termination of the humanitarian parole program for citizens of several countries, including Haiti, in June"); *see also* Miriam Jordan, *An Ohio City Faces a Future Without Haitian Workers*, *supra* note 38 ("There is no official tally of how many Haitians have already left, but pastors, employers and others say dozens of Haitians have already left.").

⁴⁴ *See* Kathryn Mobley, *Many Haitians dealing with invalid driver licenses tied to original TPS end date*, WYSO (Feb. 12, 2026), <https://perma.cc/3B6E-CSSS>; Chelsea Jones, *Haitian immigrants in South Florida struggle with expired driver's licenses amid TPS uncertainty*, CBS News (Feb. 4, 2026), <https://perma.cc/RCB8-3AST> ("Community members say the issue [of expired driver's licenses] is affecting their ability to work, care for their families, and move around safely...").

⁴⁵ Megan Henry, *Hundreds of Ohioans show support for Haitians, federal judge blocks TPS ending for Haitians* (Feb. 2, 2026), <https://perma.cc/K2LD-L4GM>.

Taken together, the impacts of mass de-legalization of a subset of *amici*'s residents will engender serious and completely avoidable disruption to our local economies, to essential workforces across various industries, and to revitalization efforts. And those economic harms, which already began when the Executive Branch announced the termination of Haitian TPS status, would grow immediately and exponentially if the district court's order is stayed.

II. TERMINATING TPS FOR HAITI WILL HARM U.S. CITIZEN FAMILY MEMBERS OF TPS HOLDERS AND BURDEN LOCAL GOVERNMENT SYSTEMS

Terminating TPS for Haitians will affect not only TPS-holders themselves, but also their thousands of U.S. citizen children and other family members. Moreover, revoking work authorization, and thus erasing the economic independence and stability for families that comes with it, will quickly cause downstream harms on municipalities, which provide critical safety net services to their residents.

A. Thousands of U.S.-Born Children Will Face Family Separation, Causing Numerous Harmful Human Impacts and Burdening Local Governments.

Having lived in the United States for years, sometimes decades, many Haitian TPS holders have formed mixed-status families and have raised and educated their children in American communities. Recent data indicates that at least 30,000 to 50,000 U.S. citizen children have a parent who is a Haitian TPS beneficiary,⁴⁶ and

⁴⁶ Matthew Lisiecki & Kevin Appleby, *Venezuelan and Haitian TPS Beneficiaries Contribute to the Nation and Should Not Be Deported*, Center for Migration Studies (May 22, 2025), <https://perma.cc/858A-XPYG> (indicating that TPS holders from Haiti have 34,300 US-citizen children); *but see* Connor, *supra* note 3 (“50,000 U.S. citizen children depend on their Haitian TPS parents’ contributions to the U.S. workforce.”).

thousands more children live with a Haitian TPS family member in their household. In Boston, for example, 1,807 children are estimated to live with a non-citizen Haitian adult, and 75 percent of these children are U.S. citizens.⁴⁷ In addition, many adult U.S. citizens are married to or live with a Haitian TPS holder.⁴⁸

If TPS is revoked, Haitian TPS recipients will be forced to face the untenable options of leaving behind their citizen children and/or partners, bringing family members with them to a country submerged in crisis, violence, and food insecurity,⁴⁹ or staying in the U.S. without any legal status or work authorization and facing the constant threat of deportation. The emotional and even physical harm that family separation would wreak on countless children and families cannot be overstated. These impacts on children who have been separated from their parents as a result of detention or deportation include “psychological trauma, material hardship, residential instability, family dissolution, increased use of public benefits, and, among boys, aggression.”⁵⁰ And living with the looming threat that a parent will be

⁴⁷ City of Boston Plan. Dep’t Rsch. Div., *Noncitizen Haitians in Boston*, *supra* note 28.

⁴⁸ See Warren & Kerwin, *supra* note 4 (As of 2017, 9 percent of Haitian TPS beneficiaries were married to a legal permanent resident).

⁴⁹ Even if some TPS beneficiaries want to return to Haiti with U.S. citizen children, they may face insurmountable bureaucratic obstacles to obtaining a passport for their child in time. See Stephen Starr, *The desperate drive to secure passports for thousands of US-born Haitian kids-before it’s too late*, *The Guardian* (July 4, 2025), <https://perma.cc/WVL4-GFRK>.

⁵⁰ See Randy Capps, et al., *Implications of Immigration Enforcement Activities for the Well-Being of Children in Immigrant Families: A Review of the Literature*, VI (Sept. 2015), <https://perma.cc/3WR4-536E>.

detained or deported by immigration enforcement authorities itself causes severe stress and related harm to children.⁵¹

Apart from these human impacts, state and county governments will be impacted by large-scale family separation as administrators of the child welfare system. Many children left behind by TPS holder parents will not have another relative or guardian to take care of them and these children will necessarily enter the foster care system. States and municipalities are already preparing for this eventuality. For example, the state of Ohio has reached out to children services departments in counties across Central Ohio that administer foster care programs, attempting to plan for the predicted influx of children left behind.⁵² One Clark County juvenile court judge told a local news outlet that the child welfare system cannot manage the number of children who have no relatives or guardians to care for them.⁵³ In communities around the nation, churches and other faith-based organizations are preparing to step in to house and care for children that would be taken in by child

⁵¹ See Iqbal Pittalwala, *Child mental health crisis tied to immigration enforcement*, Univ. of Cal., Riverside News (Aug. 8, 2025), <https://perma.cc/KF52-JGQS>; *Deportation Threatens the Psychological, Physical, and Socioeconomic Well-being of Children and Families*, Soc’y for Rsch. on Child Dev. (Mar. 2025), <https://perma.cc/EV5B-A2W6>.

⁵² Karen Kasler, *Ohio agencies making plans to help kids of Haitians if TPS ends and ICE surges*, Statehouse News Bureau, (Feb. 5, 2026), <https://perma.cc/Z3GN-QEXS>.

⁵³ John Bedell & WHIO Staff, *I-TEAM: Child welfare system concerns loom with Haitian temporary legal status set to expire in days*, WHIO (Jan. 26, 2026), <https://perma.cc/2KPB-VS5K>.

services after a parent is detained or deported.⁵⁴ But there is no guarantee that organizations like these can fill the gap.

The termination of TPS would also throw public school systems in jurisdictions with large Haitian populations into chaos. Former TPS-holders who choose to remain in the country without documentation may keep their children home from school to avoid attracting the attention of immigration enforcement, whether those children are U.S. citizens or not.⁵⁵ When students enrolled in our schools abruptly stop attending or come to school carrying the trauma of a parent losing legal status, the learning environment worsens for all students because of added stress and instability. Moreover, districts losing large numbers of Haitian students may have to cut programming and staff as enrollment-based education funding dwindles.⁵⁶ When

⁵⁴ See, e.g., Amanda Becker, *Fear, faith and preparation as ICE closes in on an Ohio community*, 19th News (Feb. 2, 2026), <https://perma.cc/MKA6-ZMTD>.

⁵⁵ See Matthew Lisiecki, Kevin Velasco & Tara Watson, *What will deportations mean for the child welfare system?*, Brookings & Ctr. for Migration Stud. (Apr. 22, 2025), <https://perma.cc/X5TL-MV2V>; Miriam Jordan, *Inside the Underground Safe Houses Sheltering Immigrants From ICE*, N.Y. Times (Mar. 3, 2026), <https://perma.cc/G4K3-AW2R>.

⁵⁶ For example, the Miami-Dade public school system expects that 4,000 students and over 39 staff members will be directly affected by the termination of TPS. Christina Vazquez, *How many public school students in Miami-Dade have connections to Haiti? We now know*, Local 10 News (Feb. 6, 2026), <https://perma.cc/ZEA4-S35H>. The district has already seen a drastic drop in the enrollment of foreign-born students, putting state and federal funding—which is dependent on enrollment—in jeopardy. *Id.*

education suffers, the resulting harms can persist over decades.⁵⁷

These life-altering impacts on children and their families are clear harms to the public interest that weigh strongly against an emergency stay. Unless and until a federal court decides—on a full record and with the benefit of full briefing and argument—that DHS adhered to statutory requirements in determining that TPS status for Haiti should be terminated, children (including numerous U.S. citizens) should be allowed to remain safely with their parents in their homes and communities.

B. Former TPS Holders Will Face Economic Vulnerability, Causing Downstream Strains on Local Public Health and Safety Nets.

If this Court issues a stay allowing the DHS Secretary’s termination of TPS status for Haiti to go into effect, *amici* expect that some TPS-holders will nonetheless decide to stay in the U.S. despite the risk of deportation because of the ongoing humanitarian crisis in Haiti and because of their deep ties to family members and communities in the United States. This is especially true because any decision at this stage in the litigation is necessarily interim, although its impacts will be immediate. If these residents do stay in this country while the litigation proceeds, it will be

⁵⁷ See, e.g., Sofoklis Goulas, *Twelve facts about the economics of education*, Brookings (June 27, 2024), <https://perma.cc/285Q-B6V5> (“Higher educational attainment is associated with higher earnings, longer productive lives, better physical and mental health, resilience and adaptability, and personal development and fulfillment. . . . [E]ducation is a catalyst for human and social capital development, driving long-term economic growth.”); Anna Zajacova & Elizabeth M. Lawrence, *The relationship between education and health: reducing disparities through a contextual approach*, 39 Ann. Rev. Pub. Health 273, 274 (2018) (“During the past several generations, education has become the principal pathway to financial security, stable employment, and social success.” (citation omitted)).

without legal authorization to work—putting families at risk of poverty, hunger, and homelessness and, ultimately, straining local safety nets. By one estimate, 25,000 children would be pushed into poverty without the income of their Haitian TPS-holder parent.⁵⁸ Without work authorization, immigrants who do work are more likely to hold lower-paying jobs and will be more vulnerable to coercion and exploitation in the workplace.⁵⁹ Pushing entire segments of the TPS population into this precarious work situation will have rippling effects on local governments, who invest significant resources in combatting wage-theft and other abusive employer practices, and who also fund and operate safety net services.⁶⁰

Apart from these economic harms, ending TPS for Haiti would also have profound and long-lasting consequences on public health and the healthcare system. Some county governments are frontline healthcare providers, operating public hospitals, community health centers, and nursing homes. Not only could these care

⁵⁸ Connor, *supra* note 3.

⁵⁹ See Jennifer J. Lee, *Legalizing Undocumented Work*, 42 *Cardozo L. Rev.* 1893, 1905-1906 (2021) (describing the factors that make undocumented workers less likely to exercise their legal rights and employers more likely to exploit these workers); see also Mary Bauer & Mónica Ramírez, *Injustice on Our Plates: Immigrant Women in the U.S. Food Industry*, S. Poverty L. Ctr. (2010), <https://perma.cc/S62J-E6DH> (describing labor abuses including wage theft, sexual harassment, and unsafe working conditions experienced by Latina women working in the food industry, in both fields and factories).

⁶⁰ See Terri Gerstein & LiJia Gong, *The role of local government in protecting workers' rights*, Economic Policy Institute, Harvard L. Sch. (June 13, 2022) (describing growing role of cities and localities in expanding and enforcing workers rights, including through establishment of municipal departments dedicated to protecting workers), <https://perma.cc/KEF6-KSEQ>.

providers lose a significant portion of their workforce⁶¹—but Haitians who lose TPS may avoid or delay their own medical care and medical care for their children. Parents may avoid healthcare settings for fear of attracting the attention of immigration enforcement.⁶² As a result, citizen and non-citizen children could miss out on crucial preventative care, including vaccinations, health screenings, and wellness visits, making them more vulnerable to preventable diseases. Any increase in the rate of unvaccinated children would increase the risk of disease spread and even death from preventable childhood illnesses.⁶³ Avoiding preventive care and delaying treatment for both adults and children means that medical conditions will worsen and future costs borne by public hospitals will rise. There is also a significant risk to public health, as cases of contagious disease go undiagnosed, untreated, and unreported.⁶⁴

Forcing parents to choose between the risk of family separation, and deportation to a highly dangerous country or to forgo healthcare for their children will harm entire communities.

⁶¹ See, e.g., Jordan, *Haitians Are Vital to U.S. Health Care*, *supra* note 15; Fernández, *supra* note 20; Rios, *supra* note 27; Bovill, *supra* note 37.

⁶² See Lisiecki et al., *supra* note 55.

⁶³ Mathew V. Kiang, Kate M. Bubar & Yvonne Maldonado, *Modeling Reemergence of Vaccine-Eliminated Infectious Diseases Under Declining Vaccination in the US*, 33 JAMA 2176 (2025) (predicting that “declining childhood vaccination rates will increase the frequency and size of previously eliminated vaccine-preventable infections,” with measles potentially becoming endemic even under current vaccination rates).

⁶⁴ See, e.g., Steven Miles, *Hospitals are no place for ICE enforcement*, Minn. Star Trib. (Jan. 16, 2026), <https://perma.cc/CMV9-ZADK> (explaining the predicted negative impact of healthcare avoidance).

III. AGGRESSIVE IMMIGRATION ENFORCEMENT AGAINST FORMER TPS HOLDERS WOULD THREATEN RIPPLING HARMS IN *AMICI*'S COMMUNITIES

If this Court were to issue a stay of the district court's order, allowing DHS's termination of TPS for Haiti to stand while its legality is fully litigated, the decision would cause irreparable injury. Specifically, over 330,000 TPS beneficiaries from Haiti, most of whom will have no avenue to maintaining legal status in the United States, would be transformed from legal residents to undocumented immigrants overnight—and immediately vulnerable to detention and ultimately deportation.⁶⁵ Indeed, the Government is clear that they are asking for a stay “so that implementation [of the termination decision] may proceed as planned, allowing removal proceedings to begin. . . .” App. for Stay at 37. Presumably, *amici* cities that are home to substantial Haitian populations would thus immediately see a surge of immigration enforcement.

Any surge in immigration enforcement against Haitians in *amici*'s communities could have rippling harmful effects on our jurisdictions, as ICE and CBP operations across the country in the last year have made clear. ICE has demonstrated a recent pattern of using increasingly aggressive, often violent, immigration

⁶⁵ Indeed, news reports indicate that after terminating TPS for certain categories of Venezuelans in 2025, the Administration deported at least 13,000 former TPS beneficiaries back to Venezuela. See Michelle Gallardo, *Local advocates ask Trump admin. to reinstate Venezuelans' TPS, stop deportations amid uncertainty*, ABC Eyewitness News (Jan. 6, 2026), <https://perma.cc/7KBD-SR72>.

enforcement tactics.⁶⁶ In some cases ICE’s tactics have led to serious physical injuries and death, to both the immigrants they detain and bystanders.⁶⁷ *Amici*, whose police departments must divert resources to respond when ICE enforcement surges produce demonstrations, have a strong interest in avoiding the overnight stripping of legal status from local residents. Moreover, across the country, news reports consistently document ICE taking race into consideration during immigration sweeps, detaining U.S. citizens and non-citizens alike based on perceived ethnicity.⁶⁸ If TPS ends for Haitians, Black and Haitian U.S. citizens and lawful permanent residents will likely be at risk of deliberate targeting, possibly resulting in their detention by ICE.

Any federal immigration enforcement surge triggered by TPS terminations would also cause immediate damage to public safety in *amici*’s communities. As

⁶⁶ See, e.g., U.S. Senate, Permanent Subcomm. on Investigations, *Unchecked Authority: Examining the Trump Administration’s Extrajudicial Immigration Detentions* at 5, 17, 19, 30, 32-33, 35-36, 47-48, 53-57 (Dec. 9, 2025), <https://perma.cc/LTT9-S2DC> (hereinafter “U.S. Senate Report”); Thomas Fuller & Jazmine Ulloa, “*Like a Military Occupation*”: Clashes Rise with Federal Agents in Minneapolis, N.Y. Times (Jan. 13, 2026), <https://perma.cc/T3C6-7SMH>.

⁶⁷ U.S. Senate Report; Michael Dorgan, *Renee Good was shot 4 times, including in the head, fire report shows*, Fox News (Jan. 16, 2026), <https://perma.cc/FK7S-4MMK>; Alyssa Chen & Max Nesterak, *Videos add new detail to 2nd Minneapolis ICE shooting in a week*, Minn. Reformer (Jan. 16, 2026), <https://perma.cc/R6TK-EMGR>; Ximena Bustillo & Rahul Mukherjee, *Immigration detention on track for deadliest fiscal year since 2004*, NPR (Mar. 10, 2026), <https://perma.cc/3TMS-4E7N>.

⁶⁸ Nicole Foy, *We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days.*, ProPublica (Oct. 16, 2025), <https://perma.cc/4QVF-UW2G>; see also David J. Bier, *One in Five ICE Arrests Are Latinos on the Streets With No Criminal Past or Removal Order*, Cato Inst. (Aug. 5, 2025), <https://perma.cc/D3QS-DS9J> (demonstrating that in June and July 2025, ICE made nearly 9,000 street arrests of immigrants who had no criminal convictions, charges, or removal orders, and about 90 percent of them were immigrants from Latin America).

recent surges of ICE enforcement to American cities have demonstrated, aggressive immigration enforcement campaigns diminish *amici*'s ability to prevent crime and maintain trust in local law enforcement. In cities facing ICE surges, police are pulled away from their other critical work not only when there are mass demonstrations that affect public spaces but also by hit-and-run accidents, and by calls from concerned residents because ICE's tactics resemble kidnappings.⁶⁹ What's more, as ICE surges in Minneapolis, Los Angeles, and other cities have made clear, these operations can disrupt all aspects of daily life, causing children to miss school, businesses to be understaffed, and residents to sharply decrease shopping, eating out, and engaging in other commercial activity that local economies depend on.

Given the Government's express policy of pursuing mass deportations, any stay of the district court's order will likely lead to immediate, dire, and irreversible immigration consequences for the Haitian TPS community. And *amici* and other cities where these immigrants call home will face immediate upheaval if large numbers of federal immigration enforcement officers descend on our jurisdictions.

⁶⁹ Alex Stone, *Los Angeles police responded to a kidnapping call. But instead found an ICE operation*, ABC News (June 25, 2025), <https://perma.cc/J2C5-ME2Q>; Nic Garcia & KJ Hiramoto, *ICE Agent Shoots at Car in California Standoff: Driver, CPB Agents Share Conflicting Accounts to Police*, FOX11 LA (Aug. 16, 2025), <https://perma.cc/5XAQ-ZXZA>; Angelique Brenes, *ICE agents detain mother in Pasadena in front of children without showing a warrant*, KTLA (June 28, 2025), <https://perma.cc/LD2L-7434>.

CONCLUSION

For these reasons, this Court should deny the Government's request for a stay.

Dated: March 16, 2026

Respectfully submitted,

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Appendix A – List of *Amici Curiae*

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City of Boston, Massachusetts

City of Cincinnati, Ohio

City of Columbus, Ohio

City and County of Denver, Colorado

City of Los Angeles, California

City of Newark, New Jersey

City of Providence, Rhode Island

City of Rochester, New York

City of Seattle, Washington

Local Government Leaders

Michelle Wu

Mayor, City of Boston, Massachusetts

Moises Rodrigues

Mayor, City of Brockton, Massachusetts

Aftab Pureval

Mayor, City of Cincinnati, Ohio

Quinton Lucas

Mayor, City of Kansas City, Missouri

Eileen Higgins

Mayor, City of Miami, Florida

Ruthzee Louijeune

City Councilor, At-Large, Boston, Massachusetts

Elizabeth Breadon

City Council President, District 9, Boston, Massachusetts

Julia Mejia
City Councilor, At-Large, Boston, Massachusetts

Henry Santana
City Councilor, At-Large, Boston Massachusetts

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