

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<p>FRITZ EMMANUEL LESLY MIOT; RUDOLPH CIVIL; MARLENE GAIL NOBEL; MARCIA MERLINE LAGUERRE; and VILBRUN DORSAINVIL,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p>v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States of America; UNITED STATES OF AMERICA; THE DEPARTMENT OF HOMELAND SECURITY; and KRISTI NOEM, in her official capacity as Secretary of Homeland Security,</p> <p style="text-align: center;"><i>Defendants.</i></p>	<p>Case No. 1:25-cv-02471 Hon. Ana C. Reyes</p>
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**Motion of 91 Members of Congress for Leave to File Brief of an
Amicus Curiae**

Under Local Civil Rule 7(o), proposed *amici*, members of the United States Senate and House of Representatives (full names and titles in Appendix) respectfully move for leave to file a brief as *amicus curiae* in support of Plaintiffs. *Amici*'s proposed brief is attached as **Exhibit 1**, and a proposed order is attached as **Exhibit 2**. In support of their motion, *amici* state as follows:

1. This Court has "broad discretion" to permit parties to participate as *amicus curiae*. *Nat'l Ass'n of Home Builders v. U.S. Army Corps of Eng'rs*, 519 F. Supp. 2d 89, 93 (D.D.C. 2007) (citation omitted).

2. *Amici* are senators and congresspeople in whose states and districts Haitian TPS holders live and work. The communities that *amici* represent have been significantly strengthened by the many economic, cultural, and communal benefits brought by Haitian TPS holders. As legislators and representatives of districts across the country, amici have a compelling interest in articulating the immense public interest served by the presence of Haitian TPS holders in our communities and in preserving those communities' continued access to the benefits that the Haiti TPS program provides.

3. As lawmakers, *amici* offer the Court an important perspective on the necessity of the Haiti TPS program to provide essential relief to Haitians and can weigh in on the positive impact Haitian TPS holders have on the communities that *amici* represent. Amici urge the Court to grant the plaintiffs' motion for a stay under 5 U.S.C. § 705.

4. Consistent with Local Civil Rule 7(m), counsel for *amici* conferred with Plaintiffs' counsel and Defendants' counsel via email on August 26, 2025. Plaintiffs consent to the filing of this brief. Defendants advised that they take no position on the motion.

For the reasons above, *amici* respectfully request that the Court grant their motion for leave to file a brief as *amicus curiae*.

Dated: September 12, 2025

Respectfully Submitted,

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**Amicus Brief of 91 Members of Congress
In Support of Plaintiffs' Motion for a Stay Under 5 U.S.C. § 705**

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Interest of Amici Curiae¹

Proposed *amici* are 91 members of the United States Senate and House of Representatives, whose full names and titles appear in the Appendix. *Amici* include senators and congresspeople in whose states and districts Haitian TPS holders live and work. The communities that *amici* represent have been significantly strengthened by the many economic, cultural, and communal benefits that Haitian TPS holders bring to our nation. As legislators and representatives of states and districts across the country, *amici* have a compelling interest in articulating the immense public interest served by the presence of Haitian TPS holders in our communities and in preserving those communities' continued access to the benefits that Haiti TPS designation provides. *Amici* urge the Court to grant the plaintiffs' motion for a stay under 5 U.S.C. § 705.

¹ No party or party's counsel authored this brief in whole or in part, and no person other than amicus and its counsel contributed money intended to fund preparing or submitting this brief.

Introduction

When Congress enacted the Temporary Protected Status (TPS) statute in 1990, it enshrined into law a system that embodies the best aspects of the American promise. Not only does TPS promote basic human rights by providing respite to those whose countries are in crisis, but it also allows the United States to reap immeasurable benefits from those it has offered safe harbor. Since its enactment, TPS has delivered on these dual goals. It has provided essential humanitarian relief to hundreds of thousands of displaced people from countries around the world who cannot return home safely. And TPS holders, in turn, have benefitted communities across our nation in countless unique and irreplaceable ways.

TPS holders from Haiti are no exception. The Executive Branch's decision to terminate Haiti TPS is not lawful. After all, the Trump Administration attempts to justify the termination by relying on Haiti's abject current state—the very condition for which TPS was designed to provide relief. But the proposed termination is short-sighted, as well. Haitian TPS holders' collective economic contribution to the United States is approximately \$3.4 billion dollars each year. TPS recipients are deeply rooted in our communities—they are parents and family members to American children, friends and neighbors, colleagues and caregivers, entrepreneurs and business owners. If the termination of Haiti TPS proceeds as planned, it will not only be a betrayal of the American promise; it will be a blow to American interests.

As federal legislators from states and districts in which thousands of Haitian TPS holders live and work, *amici* have a front-row seat to the many benefits that Haiti TPS confers upon this nation. The public interest strongly favors a stay of the

Administration’s termination of the Haiti TPS designation. The Court should grant the plaintiffs’ motion.

Argument

The preliminary injunction factors, including “where the public interest lies,” govern the issuance of a stay under Section 705 of the APA. *Pennsylvania v. DeVos*, 480 F. Supp. 3d 47, 58 (D.D.C. 2020) (citation omitted). The Trump Administration’s termination of Haiti TPS will impose wide-ranging harms on Haitian TPS recipients, their U.S.-born families, their local communities, and the American public at large.² Many of those effects will fall most heavily on the states and districts that *amici* represent. Because the unlawful termination of Haiti TPS would pose extensive harm to the public interest, *amici* urge the Court to grant the plaintiffs’ motion to stay.

I. Congress intended TPS to protect those who cannot safely return to their native country.

Congress enacted TPS as part of the Immigration Act of 1990, a statute that “recognizes the fundamental importance and historic contributions of immigrants to our country.” Presidential Statement on Signing the Immigration Act of 1990 (Nov. 29, 1990). Consistent with that recognition, the TPS statute permits nationals from designated countries to be lawfully present in the United States when they cannot

² See *Widakuswara v. Lake*, 779 F. Supp. 3d 10, 38 (D.D.C. 2025) (courts must consider “public consequences”); *Cabrera v. U.S. Dep’t of Labor*, __ F. Supp. 3d __, No. 25-CV-1909 (DLF), 2025 WL 2092026, at *8 (D.D.C. July 25, 2025) (harms such as “loss of housing, educational and vocational opportunities, and healthcare services” are relevant to the public interest analysis).

return home due to armed conflict, environmental disaster, or other “extraordinary” circumstances. *See* 8 U.S.C. § 1254a.

TPS was tailor-made for countries like Haiti. The United States first granted Haitian nationals TPS protection in 2010, following the catastrophic earthquake that struck Haiti that year.³ After the earthquake, Haiti continued to experience environmental disasters and escalating social and political instability; consequently, the initial designation was extended for several years. *See Haitian Evangelical Clergy Ass’n v. Trump*, ___ F. Supp. 3d ___, No. 25-CV-1464 (BMC), 2025 WL 1808743, at *1 (E.D.N.Y. July 1, 2025).⁴ Since 2010, tens of thousands of Haitian nationals have been granted TPS status and have become integral parts of communities across the United States.

Haiti’s conditions have only grown worse, rather than better, since the initial TPS designation in 2010.⁵ Armed gangs now control approximately 85% of Haiti’s capital, Port-au-Prince.⁶ Conditions in the country are so dangerous that the State Department warned American citizens in July 2025 not to travel to Haiti for any reason.⁷

³*Fact Sheet: Termination of Temporary Protected Status for Haiti*, Immigration Forum (Jul. 17, 2025), <https://immigrationforum.org/article/fact-sheet-termination-of-temporary-protected-status-for-haiti/>.

⁴*See also id.*

⁵*Id.*

⁶*‘An unending horror story’: Gangs and human rights abuses expand in Haiti*, UN News (Jul. 11, 2025), <https://news.un.org/en/story/2025/07/1165373>.

⁷*Haiti Travel Advisory*, U.S. Department of State (Jul. 15, 2025), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/haiti-travel-advisory.html>.

Despite the country's current state, the Executive Branch announced on June 27, 2025 that it would terminate Haiti TPS. 90 Fed. Reg. 28760.⁸ Even though the Administration identified widespread violence, crime, kidnapping, and terrorism in Haiti, Department of Homeland Security Secretary Kristi Noem stated in her Haiti TPS termination notice that “country conditions have improved to the point where Haitians can return home in safety.”⁹ In reality, as the Administration's own travel advisory recognizes, Haiti is safe for almost no one.¹⁰

II. Many members of Congress and other elected officials oppose the termination of Haiti TPS.

The Administration's attempts to terminate Haiti TPS have not been popular.¹¹ In fact, many public officials—on both sides of the aisle—have underlined the substantial public interest in maintaining Haiti TPS instead of terminating it.

On March 6, 2025, thirty-eight members of Congress urged President Trump and Secretary Noem to reverse the Haiti TPS decision, emphasizing that TPS “strengthens America's workforce and economy,” and stressing that Haiti is

⁸*DHS Terminates Haiti TPS, Encourages Haitians to Obtain Lawful Status*, U.S. Department of Homeland Security (Jun. 27, 2025), <https://www.dhs.gov/news/2025/06/27/dhs-terminates-haiti-tps-encourages-haitians-obtain-lawful-status>.

⁹*Id.*

¹⁰Daniel Dickinson, *Haiti ‘awash’ with guns leaving population ‘absolutely terrified’*, UN News (Apr. 17, 2025), <https://news.un.org/en/interview/2025/04/1162396>; UN News, *supra* n.6.

¹¹ See, e.g., Jack Royer and Kevin Boulandier, *7News/Suffolk poll: Majority of Miami residents oppose recent ICE raids, termination of TPS for Haitians but are split on the economy*, 7News Miami (Jul. 14, 2025), <https://wsvn.com/news/politics/7news-suffolk-poll-majority-of-miami-residents-oppose-recent-ice-raids-termination-of-tps-for-haitians-but-are-split-on-the-economy/>.

experiencing unprecedented levels of economic collapse and political instability.¹² Two weeks later, 62 members of the House of Representatives and 23 Senators demanded reinstatement of the Haiti TPS designation.¹³ House Haiti Caucus Co-Chair Congresswoman Sheila Cherfilus-McCormick explained that the termination of TPS for Haiti “impacts thousands of Haitian families who have lived in the United States legally for over a decade—contributing to their communities, paying taxes, and raising American-born children.”¹⁴

¹²Letter from Congresswoman Sheila Cherfilus-McCormick *et al.* to President Trump and Secretary Noem (Mar. 6, 2025), <https://cherfilus-mccormick.house.gov/sites/evo-subsites/cherfilus-mccormick.house.gov/files/evo-media-document/final-haiti-tps-letter-to-president-trump-and-secretary-noem.pdf>.

¹³Press Release, Congresswoman Ayanna Pressley, Pressley, Clarke, Van Hollen Lead Letter to the Administration Demanding Reinstatement of TPS for Haiti (Mar. 18, 2025), <https://pressley.house.gov/2025/03/18/pressley-clarke-van-hollen-lead-letter-to-the-administration-demanding-reinstatement-of-tps-for-haiti/>.

¹⁴Press Release, Congresswoman Sheila Cherfilus-McCormick, Congresswoman Cherfilus-McCormick Statement Condemning Decision to End Temporary Protected Status for Haiti (June 27, 2025), <https://cherfilus-mccormick.house.gov/media/press-releases/congresswoman-cherfilus-mccormick-statement-condemning-decision-end-temporary>; *see also* Press Release, Congresswoman Ayanna Pressley, Pressley Condemns Trump’s Cruel Termination of TPS for Haitians (Jun. 28, 2025), <https://pressley.house.gov/2025/06/28/pressley-condemns-trumps-cruel-termination-of-tps-for-haitians/>; Press Release, Congresswoman Frederica Wilson, Congresswoman Frederica Wilson Statement on the Termination of TPS for Haitians (Jun. 27, 2025), <https://wilson.house.gov/media/press-releases/congresswoman-frederica-wilson-statement-on-the-termination-of-tps-for-haitians>; Press Release, Senator Ed Markey, Markey and Warnock Demand Answers From Secretaries Rubio and Noem on Contradictory U.S. Foreign and Immigration Policies Toward Haiti and Potential Illegal Arms Exports to Port-au-Prince (Jul. 24, 2025), <https://www.markey.senate.gov/news/press-releases/markey-and-warnock-demand-answers-from-secretaries-rubio-and-noem-on-contradictory-us-foreign-and-immigration-policies-toward-haiti-and-potential-illegal-arms-exports-to-port-au-prince>; Press Release, Congresswoman Yvette D. Clarke, Clarke, Haiti Caucus Co-Chairs Condemn Trump for Ending TPS for Haiti (Feb. 21, 2025), <https://clarke.house.gov/clarke-haiti-caucus-co-chairs-condemn-trump-for-ending-tps-for-haiti/>.

The concern is bipartisan. Republican Congressman Mike Lawler’s district north of New York City contains the largest Haitian diaspora constituency in the country. Together with Congresswoman Laura Gillen and Congresswoman Cherfilus-McCormick, Congressman Lawler introduced bipartisan legislation in March 2025 to require Secretary Noem to extend TPS protection for Haitians.¹⁵ Congressman Lawler “encourag[ed] the Administration to keep [TPS] in place for Haitian citizens,” and emphasized the ongoing need for Haiti TPS due to the “unprecedented instability” in Haiti where “armed gangs largely control the country.”¹⁶

Other officials have echoed the same sentiment. The Republican mayor of Springfield, Ohio, home to many Haitian TPS holders, also spoke out against the Trump Administration’s decision to terminate the Haiti TPS designation: “These individuals were given hope and a sense of security through the Temporary Protected Status policy, which has been embraced by several administrations. The United States must continue to be a beacon of hope and a torchbearer of democracy.”¹⁷ The mayor added that Haitian TPS holders “have strengthened our local economy by

¹⁵Press Release, Congresswoman Laura Gillen, Gillen Introduces Bipartisan Legislation to Extend Temporary Protected Status for Haitians (Mar. 3, 2025), <https://gillen.house.gov/media/press-releases/gillen-introduces-bipartisan-legislation-extend-temporary-protected-status>.

¹⁶Image posted by Congressman Mike Lawler (repmikelowler) Instagram (Feb. 20, 2025), https://www.instagram.com/p/DGT-JB1JlBM/?igsh=NXRvzbzJoanBxd213&img_index=1; see also Congressman Mike Lawler (@RepMikeLawler), X (Jul. 12, 2025, at 15:47 ET), <https://x.com/RepMikeLawler/status/1944121452900368452>.

¹⁷ Billal Rahman, *Springfield’s Republican Mayor Calls Out Trump’s Immigration Move*, Newsweek (Feb. 24, 2025), <https://www.newsweek.com/rob-rue-springfield-trump-immigration-policy-hatian-tps-2035146>.

filling key roles in manufacturing and health care”¹⁸ The Republican Governor of Ohio, Mike DeWine, likewise highlighted the economic benefits that Haitian TPS holders bring to Springfield: “We talked to the management of those companies [in Springfield], and they basically said, look, if we didn’t have these Haitians, we couldn’t fill these slots, and we can’t produce what we need to produce.”¹⁹

III. The termination of Haiti TPS will deprive communities of the valuable economic and communal benefits that TPS holders bring to this country.

It is not surprising that the pushback against the Executive Branch’s attempts to terminate Haiti TPS has been so broad-based. The Administration’s termination of TPS is not only improper; it is also short-sighted. Haitian TPS holders provide far-reaching benefits to the American economy and to the communities in which they live. As many stakeholders are keenly aware, the Administration’s abrupt—and unlawful—termination of Haiti TPS will deprive the United States of the many benefits that TPS holders continue to bring to this country.

A. Haitian TPS holders foster economic growth in the communities where they live and work.

The economic case for TPS is simple. Across the board, TPS holders contribute substantially to the U.S. economy. Workforce participation among TPS holders is exceptionally high. In 2021, TPS holders nationwide were employed at a rate of

¹⁸ *Id.*

¹⁹ Danae King, ‘Death sentence’: Haitian migrants in Ohio must leave as Trump axes TPS protections, Columbus Dispatch (Jul. 3, 2025), <https://www.dispatch.com/story/news/2025/07/02/columbus-springfield-haitians-end-of-temporary-protected-status-tps-a-death-sentence-donald-trump/84415492007/>.

94.6%.²⁰ A total of approximately 570,000 TPS holders contribute their labor to the U.S. economy.²¹ More specifically, around 95,000 TPS holders work in leisure and hospitality, 90,000 in construction, 85,000 in business services, 80,000 in wholesale and retail trade, and 70,000 in manufacturing.²² TPS holders from all designated countries provide critical relief for American businesses and communities by taking jobs in these high-demand fields.²³

TPS holders also contribute to the U.S. economy as business owners and entrepreneurs. As of 2021, 38,100 TPS holders from all designated countries are entrepreneurs or self-employed.²⁴ For example, in California alone, 7,800 self-employed TPS holders generated \$224.8 million in business income.²⁵ TPS recipients also boast a high rate of entrepreneurship, totaling 14.5% in 2021—more than five percentage points higher than the U.S.-born workforce.²⁶ Together, TPS holders

²⁰ *The Contributions of Temporary Protected Status Holders to the U.S. Economy*, American Immigration Council (Sept. 2023), at 2, https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/01/contributionstemporaryprotectedstatus_0923.pdf.

²¹ *Temporary Protected Status protects families while also boosting the U.S. economy*, FWD.us (Mar. 21, 2025), <https://www.fwd.us/news/temporary-protected-status-report-2025/>.

²² *Id.*

²³ Greg Rosalsky, *Why aren't Americans filling the manufacturing jobs we already have?*, NPR Planet Money (May 13, 2025), <https://www.npr.org/sections/planet-money/2025/05/13/g-s1-66112/why-arent-americans-filling-the-manufacturing-jobs-we-already-have>; Stephanie Ferguson Melhorn, *Understanding America's Labor Shortage: The Most Impacted Industries*, U.S. Chamber of Commerce (Nov. 21, 2023), <https://www.uschamber.com/workforce/understanding-americas-labor-shortage-the-most-impacted-industries>.

²⁴ American Immigration Council, *supra* n.20, at 4.

²⁵ *Id.* at 4.

²⁶ Karen Aho, *Spotlight on the Economic Contributions of TPS Holders*, American Immigration Council (Oct. 23, 2023),

generated business income totaling \$1.5 billion,²⁷ creating jobs and generating wealth for their local communities along the way.

TPS recipients benefit local economies in other ways, too. For instance, in 2021, more than 41% of TPS households owned their homes,²⁸ an important economic driver in many communities. This rate of home ownership contributed \$19 billion to housing values nationwide.²⁹ TPS holders also generated \$8 billion in spending power and \$10.3 billion in total income in 2021, a large purchasing capacity that supports a wide range of local businesses and industries.³⁰

Because of their productive activity in the U.S. economy and workforce, TPS holders also contribute significantly to tax revenues at the federal, state, and local levels. In 2021, TPS holders paid almost \$1.3 billion in federal taxes, and over \$966 million in state and local taxes.³¹ And although TPS holders make substantial tax contributions, they use few public benefits.³² This is because TPS holders are ineligible for nearly all federal public benefits.³³ Additionally, because TPS holders lose TPS if they commit a felony or more than one misdemeanor offense, TPS holders

<https://www.americanimmigrationcouncil.org/blog/economic-contributions-tps-holders/>.

²⁷ American Immigration Council, *supra* n.20, at 4.

²⁸ *Id.* at 5.

²⁹ Aho, *supra* n.26.

³⁰ *Id.*

³¹ *Id.*

³² American Immigration Council, *supra* n.20, at 3.

³³ *Id.*

are generally law-abiding and therefore impose a minimal burden on “law-and-order costs.”³⁴

Haitian TPS holders are no exception to the general rule. In the aggregate, Haitian TPS holders’ economic contributions are staggering. The numbers speak for themselves: the annual economic contribution of Haitian TPS holders totals a whopping \$3.4 billion.³⁵ In 2017, when the first Trump administration sought to end the Haiti TPS designation, Bloomberg Law estimated that “[t]he U.S. could lose some \$280 million in contributions to its gross domestic product[.]”³⁶

Many of the approximately 348,000³⁷ Haitian TPS holders are employed in the high-demand industries of healthcare, elder care, hospitality, and food service.³⁸ In Florida, for example, many Haitian TPS holders work in the labor-starved sectors of education and healthcare.³⁹ Sixty-four percent of home health aides in Florida—a chronically understaffed industry—are immigrants, and many are Haitian

³⁴ *Id.*

³⁵FWD.us, *supra* n.21.

³⁶Laura D. Francis, *Daily Labor Report: Ending Haitians’ Protected Status Could Cost U.S. \$280M*, The Bureau of National Affairs, Inc. (May. 16, 2017), <https://www.ilrc.org/sites/default/files/resources/pd.pdf>.

³⁷Termination of the Designation of Haiti for Temporary Protected Status, 90 Fed. Reg. 28760 (Jul. 1, 2025).

³⁸Immigration Forum, *supra* n.3.

³⁹Mercedes Vigon, *Florida faces heavy economic impacts if TPS is rolled back*, WLRN Public Media (Apr. 8, 2025), <https://www.wlrn.org/immigration/2025-04-08/tps-roll-back-economic-impact-florida>.

immigrants.⁴⁰ In fact, 7% of direct care professionals nationwide are Haitian.⁴¹ Likewise, Haitian and Venezuelan immigrants partially abated a severe staffing shortage in Miami-Dade County Public Schools, the third largest school district in the country.⁴²

Massachusetts, home to approximately 15,000 Haitian TPS holders, also relies on the many Haitian immigrants who work in “skilled nursing facilities, hospitals and group homes.”⁴³ For example, a group home in Marshfield, Massachusetts that is “almost entirely staffed by Haitian workers” could lose up to 116 employees if Haiti TPS is terminated—on top of its existing 150 vacancies.⁴⁴ The group home’s CEO explained: “The reality is, people aren’t knocking down the doors. . . . it’s a kind of work that isn’t for everybody. And our Haitian workers serve a great purpose, because they bring a very caring, compassionate and willing attitude to work every day.”⁴⁵ Termination of Haiti TPS will affect approximately 2,000 long-term caregivers in Massachusetts alone.⁴⁶

⁴⁰*Id.*; see also *Immigrants in Florida*, American Immigration Council, <https://map.americanimmigrationcouncil.org/locations/florida/>.

⁴¹ Colleen Knudsen, *Report: LeadingAge Releases the Immigration Imperative*, LeadingAge (Sept. 11, 2024), <https://leadingage.org/report-leadingage-releases-the-immigration-imperative/>.

⁴²Vigon, *supra* n.39.

⁴³Lynn Jolicoeur, *South Shore nonprofit that serves adults with disabilities fears losing Haitian workers*, WBUR (Aug. 15, 2025), <https://www.wbur.org/news/2025/08/15/haiti-immigrant-massachusetts-workers-aides>.

⁴⁴*Id.*

⁴⁵*Id.*

⁴⁶ 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://www.wbur.org/news/2025/08/07/haitians-tps-massachusetts-trump-health-care>.

On a local level, Haitian TPS holders have had outsized impacts on the small cities and towns where Haitian TPS holders are concentrated. For example, Springfield, Ohio, catapulted to the international stage when President Trump asserted that Haitian migrants were “eating the pets of the people that live [in Springfield].”⁴⁷ The true story in Springfield is that Haitian TPS holders have revitalized this small city. After approximately 20,000 Haitians, including many TPS holders, moved to Springfield, its decades-long population decline began to rebound.⁴⁸ New arrivals to Springfield have spurred growth in the housing market and filled vacant manufacturing jobs.⁴⁹

Likewise, Haitian TPS holders began arriving after the 2010 earthquake in Mount Olive, North Carolina, where they are now an integral part of the local economy and community.⁵⁰ Haitian immigrants purchased vacant homes, opened

⁴⁷Jasmine Garsd, *The stereotype of immigrants eating dogs and cats is storied—and vitriolic as ever*, NPR (Sept. 11, 2024), <https://www.npr.org/2024/09/11/nx-s1-5108401/donald-trump-debate-eating-dogs-cats-immigrants-false-stereotype>.

⁴⁸Miriam Jordan, *Why Thousands of Haitians Have Settled in Springfield, Ohio*, New York Times (Sept. 14, 2024), <https://www.nytimes.com/2024/09/14/us/haitian-migrants-springfield-ohio.html>; Josh Sweigart et al., *The true story about why and how Haitian immigrants came to Springfield*, Springfield News-Sun (Sept. 20, 2024), <https://www.springfieldnewssun.com/news/the-true-story-about-why-and-how-haitian-immigrants-came-to-springfield/VOJOZYVU6REMZOFXZOEQQ5RNNU/>.

⁴⁹Jordan, *supra* n.48; Miriam Jordan, *An Ohio City Faces a Future Without Haitian Workers: ‘It’s Not Going to Be Good’*, New York Times (Aug. 18, 2025), <https://www.nytimes.com/2025/08/18/us/springfield-ohio-haitian-immigrants-trump.html>.

⁵⁰Jennifer Brookland, *How Mount Olive Welcomed Newcomers and Created Community*, Our State (Mar. 20, 2020), <https://www.ourstate.com/mount-olive-welcomed-haitian-immigrants-created-community/>; Laura Pellicer and Frank Stasio, *Haitian Immigrants Who Helped Lift an NC Town Face Deportation*, WUNC (Nov. 27, 2018), <https://www.wunc.org/politics/2018-11-27/haitian-immigrants-who-helped-lift-an-nc-town-face-deportation>.

shops and restaurants, and injected life into the local community.⁵¹ As a 2020 report put it, “While many of the 2,500 Mount Olive residents wait to hear if their new home will be permanent, they continue to live as though it is. They’re learning to drive and buying cars; going to report card pickup night at Mount Olive Middle School and to games over at the college. They’re packing pickles and poultry and practicing their English.”⁵²

If the Haiti TPS designation is terminated, the economic fallout in the many communities where Haitian TPS recipients reside will be swift and devastating. Haitian TPS holders will lose their income and their access to health insurance. Businesses that employ Haitian TPS holders will face immediate disruption of their workforce and incur the high cost of hiring and training new employees on short-term notice in an already difficult labor market. For Haitian TPS homeowners, the abrupt termination of work authorization will immediately cut off their ability to pay their mortgages and maintain their homes. The knock-on effects will echo in local housing markets and beyond.

B. Haitian TPS holders are far less likely than native-born Americans to violate the law.

Alongside the economic benefits that Haitian TPS holders bring to their communities, Haitian immigrants are also substantially less likely to be a danger to

⁵¹American Immigration Council, *supra* n.20, at 4.

⁵²Brookland, *supra* n.50.

their communities than the national average. Immigrants from Haiti, for example, are incarcerated at rates far lower than native-born Americans are.⁵³

Indeed, TPS holders in general are more likely to be law-abiding residents due to the TPS designation's strict requirements. TPS applicants submit to an extensive background check, and "are barred from TPS if they have committed certain crimes or pose a national security risk."⁵⁴ See 8 U.S.C. § 1254a(c)(2)(B)(ii); 8 U.S.C. § 1158(b)(2)(A). To maintain TPS status, TPS holders "must re-register during each re-registration period to maintain TPS benefits."⁵⁵ Individuals are barred from TPS if they have committed a felony or more than one misdemeanor offense in the United States. See 8 U.S.C. § 1254a(c)(2)(B). The result is that the large majority of Haitian TPS holders are law-abiding and productive community members.

C. Termination of Haiti TPS would harm not only individual TPS holders but also their communities.

Not only does the Administration's planned termination of Haiti's TPS designation threaten to disrupt Haitian TPS holders' extensive economic contributions to this country, but it promises to sever the strong communal and

⁵³Alex Nowrasteh, *Haitian Immigrants Have a Low Incarceration Rate*, Cato Institute (Jul. 7, 2025), <https://www.cato.org/blog/haitian-immigrants-have-low-incarceration-rate>.

⁵⁴Aaron Reichlin-Melnick, *Temporary Protected Status: What's Up With That?*, American Immigration Council (Oct. 29, 2024), <https://www.americanimmigrationcouncil.org/blog/temporary-protected-status-whats-up-with-that/>.

⁵⁵Temporary Protected Status, U.S. Citizen and Immigration Services, <https://www.uscis.gov/humanitarian/temporary-protected-status>; Jennifer Riddle, *Re-Registering for TPS and Maintaining Employment Authorization*, Catholic Legal Immigration Network, Inc. (Feb. 15, 2018), <https://www.cliniclegal.org/resources/humanitarian-relief/re-registering-tps-and-maintaining-employment-authorization>.

relational ties that root Haitian TPS holders to the communities in which they have lived for years. Many Haitian TPS holders are long-term residents; Haitian TPS holders have lived in the United States an average of 13 years.⁵⁶ They own homes, own businesses, and participate in their local communities.⁵⁷ Not only would terminating Haiti TPS be devastating for the TPS holders themselves, it would cause an upheaval that will reverberate throughout their families and communities.

Most critically affected will be the approximately 129,000 U.S. citizens who live with Haitian TPS holders, the majority of whom are their U.S.-born children.⁵⁸ If the TPS designation is abruptly terminated while Haiti remains in a state of violent chaos, Haitian TPS holders will face extremely difficult choices for their families. The current crisis in Haiti is so severe that, since January 2024, more than 900 schools in Haiti have closed.⁵⁹ Armed gangs are now recruiting children as young as ten years old, and gender-based violence, particularly against young girls, is widespread.⁶⁰ If Haitian TPS holders are unable to relocate to yet another country, they will be forced

⁵⁶Nicole Svajlenka, *TPS Holders Are Integral Members of the U.S. Economy and Society*, Center for American Progress (Oct. 20, 2017), <https://www.americanprogress.org/article/tps-holders-are-integral-members-of-the-u-s-economy-and-society/>; *‘Temporary’ Status But Long-Term US Lives*, Human Rights Watch (Apr. 4, 2018), <https://www.hrw.org/news/2018/04/04/temporary-status-long-term-us-lives>.

⁵⁷Svajlenka, *supra* n.56; Eddy Martinez, *CT’s Haitian community anxious over status of TPS program*, Connecticut Public Radio (Jul. 2, 2025), <https://www.ctpublic.org/news/2025-07-02/haitians-ct-tps-haiti-deportation-trump>.

⁵⁸FWD.us, *supra* n.21.

⁵⁹*Children in Haiti in danger and out of school because of armed violence*, Plan International (Mar. 20, 2025), <https://plan-international.org/news/2025/03/20/children-in-haiti-in-danger-and-out-of-school-because-of-armed-violence/>.

⁶⁰*Id.*

to either leave their children behind in the United States, where they may end up in the child welfare system,⁶¹ or bring them to violence-ridden Haiti. Neither outcome is tenable.

Terminating Haiti TPS will deprive communities of members who overwhelmingly contribute positively to the social and economic fabric of their local societies, thrusting them back into a country that is not ready to receive them. That is a policy that harms many and benefits no one. The Executive Branch is pursuing an agenda that comports with neither the law nor the public interest that it purports to serve.

Conclusion

The public interest strongly favors a stay of the Executive Branch's decision to terminate the Haiti TPS designation. The Court should grant the plaintiffs' motion for a stay under 5 U.S.C. § 705.

Respectfully Submitted,

Dated: September 12, 2025

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⁶¹*U.S. Citizen Children Impacted by Immigration Enforcement*, American Immigration Council (Jun. 24, 2021), <https://www.americanimmigrationcouncil.org/fact-sheet/us-citizen-children-impacted-immigration-enforcement/>.

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Counsel for Amici Curiae

**Motion for pro hac vice pending*

Appendix: List of Amici Curiae

- | | |
|---|---|
| 1. Ed Markey
Senator for Massachusetts | 21. Sheila Cherfilus-McCormick
Representative of Florida |
| 2. Chuck Schumer
Senator for New York | 22. Gabe Amo
Representative of Rhode Island |
| 3. Dick Durbin
Senator for Illinois | 23. Joyce Beatty
Representative of Ohio |
| 4. Elizabeth Warren
Senator for Massachusetts | 24. Wesley Bell
Representative of Missouri |
| 5. Chris Van Hollen
Senator for Maryland | 25. Shontel M. Brown
Representative of Ohio |
| 6. Alex Padilla
Senator for California | 26. André Carson
Representative of Indiana |
| 7. Adam Schiff
Senator for California | 27. Troy Carter
Representative of Louisiana |
| 8. Tammy Duckworth
Senator for Illinois | 28. Greg Casar
Representative of Texas |
| 9. Peter Welch
Senator for Vermont | 29. Kathy Castor
Representative of Florida |
| 10. Andy Kim
Senator for New Jersey | 30. Yvette D. Clarke
Representative of New York |
| 11. Jeanne Shaheen
Senator for New Hampshire | 31. Steve Cohen
Representative of Tennessee |
| 12. Jack Reed
Senator for Rhode Island | 32. Bonnie Watson Coleman
Representative of New Jersey |
| 13. Sheldon Whitehouse
Senator for Rhode Island | 33. Joe Courtney
Representative of Connecticut |
| 14. Reverend Raphael Warnock
Senator for Georgia | 34. Danny K. Davis
Representative of Illinois |
| 15. Richard Blumenthal
Senator for Connecticut | 35. Diana DeGette
Representative of Colorado |
| 16. Angela Alsobrooks
Senator for Maryland | 36. Lloyd Doggett
Representative of Texas |
| 17. Cory Booker
Senator for New Jersey | 37. Dwight Evans
Representative of Pennsylvania |
| 18. John Hickenlooper
Senator for Colorado | 38. Shomari C. Figures
Representative of Alabama |
| 19. Chris Coons
Senator for Delaware | 39. Lois Frankel
Representative of Florida |
| 20. Lisa Blunt Rochester
Senator for Delaware | 40. Maxwell Alejandro Frost
Representative of Florida |

- | | |
|---|---|
| 41. Jesús G. “Chuy” Garcia
Representative of Illinois | 61. Kweisi Mfume
Representative of Maryland |
| 42. Sylvia R. Garcia
Representative of Texas | 62. Gwen S. Moore
Representative of Wisconsin |
| 43. Laura Gillen
Representative of New York | 63. Jared Moskowitz
Representative of Florida |
| 44. Josh Gottheimer
Representative of New Jersey | 64. Seth Moulton
Representative of Massachusetts |
| 45. Al Green
Representative of Texas | 65. Richard E. Neal
Representative of Massachusetts |
| 46. Jahana Hayes
Representative of Connecticut | 66. Eleanor Holmes Norton
Representative of the District of Columbia |
| 47. Steven Horsford
Representative of Nevada | 67. Frank Pallone
Representative of New Jersey |
| 48. Jonathan L. Jackson
Representative of Illinois | 68. Chellie Pingree
Representative of Maine |
| 49. Pramila Jayapal
Representative of Washington | 69. Stacey E. Plaskett
Representative of Virginia |
| 50. Henry C. “Hank” Johnson, Jr.
Representative of Georgia | 70. Nellie Pou
Representative of New Jersey |
| 51. Sydney Kamlager-Dove
Representative of California | 71. Ayanna Pressley
Representative of Massachusetts |
| 52. Robin L. Kelly
Representative of Illinois | 72. Delia Ramirez
Representative of Illinois |
| 53. Stephen F. Lynch
Representative of Massachusetts | 73. Mary Gay Scanlon
Representative of Pennsylvania |
| 54. Seth Magaziner
Representative of Rhode Island | 74. Jan Schakowsky
Representative of Illinois |
| 55. Sarah McBride
Representative of Delaware | 75. Debbie Wasserman Schultz
Representative of Florida |
| 56. Jennifer McClellan
Representative of Virginia | 76. David Scott
Representative of Georgia |
| 57. Betty McCollum
Representative of Minnesota | 77. Robert C. “Bobby” Scott
Representative of Virginia |
| 58. James P. McGovern
Representative of Massachusetts | 78. Terri A. Sewell
Representative of Alabama |
| 59. LaMonica McIver
Representative of New Jersey | 79. Lateefah Simon
Representative of California |
| 60. Grace Meng
Representative of New York | 80. Darren Soto
Representative of Florida |

81. Tom Suozzi
Representative of New York

82. Shri Thanedar
Representative of Michigan

83. Bennie G. Thompson
Representative of Mississippi

84. Dina Titus
Representative of Nevada

85. Rashida Tlaib
Representative of Michigan

86. Paul Tonko
Representative of New York

87. Ritchie Torres
Representative of New York

88. Nydia M. Velázquez
Representative of New York

89. Maxine Waters
Representative of California

90. Nikema Williams
Representative of Georgia

91. Frederica S. Wilson
Representative of Florida

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<p>FRITZ EMMANUEL LESLY MIOT; RUDOLPH CIVIL; MARLENE GAIL NOBEL; MARCIA MERLINE LAGUERRE; and VILBRUN DORSAINVIL,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States of America; UNITED STATES OF AMERICA; THE DEPARTMENT OF HOMELAND SECURITY; and KRISTI NOEM, in her official capacity as Secretary of Homeland Security,</p> <p><i>Defendants.</i></p>	<p>Case No. 1:25-cv-02471 Hon. Ana C. Reyes</p>
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[PROPOSED] ORDER

Upon consideration of the motion of **91 Members of Congress** for leave to file
an Amici Curiae brief and such matters as are just and proper, it is hereby

ORDERED that the Motion is GRANTED; and it is further

ORDERED that the Amici Curiae brief attached as **Exhibit 1** to the Motion is
deemed filed with the Court upon entry of this Order.

Entered this ____ day of _____, 2025.

Hon. Ana C. Reyes
United States District Judge