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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE STANFORD DAILY PUBLISHING
CORPORATION, JANE DOE, & JOHN DOE,

Plaintiffs,

v.

MARCO RUBIO, in his official capacity as
Secretary of State, & KRISTI NOEM, in her
official capacity as Secretary of Homeland
Security,

Defendants.

Case No. 5:25-cv-06618-NW

**PROPOSED BRIEF OF THE
COMMONWEALTH OF
MASSACHUSETTS AND THE STATES OF
WASHINGTON, CALIFORNIA,
ARIZONA, COLORADO, CONNECTICUT,
DELAWARE, HAWAII, ILLINOIS,
MAINE, MARYLAND, MICHIGAN,
MINNESOTA, NEW JERSEY, NEW
MEXICO, NEW YORK, OREGON, RHODE
ISLAND, VERMONT & THE DISTRICT
OF COLUMBIA AS AMICI CURIAE IN
SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

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I. Introduction and Interests of Amici

The Commonwealth of Massachusetts and the States of California, Washington, Arizona, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, and the District of Columbia (“Amici States”) submit this brief in support of Plaintiffs’ motion for summary judgment and in opposition to the Defendants’ policy of ideological deportations—that is, punishing those who express disfavored views regarding America or Israel. This policy, which strips noncitizen students (including student journalists) and faculty of their lawful immigration status, threatens our academic institutions, economic prosperity, and global leadership in education and scientific innovation.

The Trump Administration has weaponized immigration enforcement by targeting residents of Amici States with lawful immigration status based on their protected expression and beliefs. On its face, this policy violates the First Amendment’s protection of free speech, which the Supreme Court has repeatedly affirmed extends to noncitizen residents within the United States. *See, e.g., United States v. Verdugo-Urquidez*, 494 U.S. 259, 271 (1990) (noting that “resident [noncitizens] have First Amendment rights” (citation omitted)); *Am.-Arab Anti-Discrimination Comm. v. Reno*, 70, F.3d 1045, 1063-64 (9th Cir. 1995) (applying First Amendment to deportation setting). Indeed, just two weeks ago a federal court confronted this very policy in *AAUP v. Rubio*, concluding that it was “intentionally viewpoint-discriminatory” and that the policy’s “manner and method” of execution were adopted at least “in part intentionally to chill the speech of other” lawfully present noncitizens on campus.¹ That is because the ideological deportation policy strikes at the heart of what the First Amendment prohibits. “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism,

¹ *See AAUP v. Rubio*, No. 1:25-cv-10685, Doc. 261 at 135, 138 (Sept. 30, 2025) (D. Mass.).

1 religion, or other matters of opinion.” *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642
2 (1943). Yet the Administration is doing precisely that—prescribing orthodoxy and punishing
3 noncitizens who dissent through the severe sanctions of arrest, detention, and deportation. The
4 policy is antithetical to the principle of free expression that is supposed to define American higher
5 education. It creates a pernicious dynamic whereby noncitizens may self-censor for fear of losing
6 their immigration status, and campus community members are thereby deprived of hearing their
7 voices. *See Reno v. ACLU*, 521 U.S. 844, 845 (1997) (“The vagueness of such a content-based
8 regulation . . . raise[s] special First Amendment concerns because of its obvious chilling effect on
9 free speech.”). That pernicious dynamic is not theoretical: at *The Stanford Daily*, for example,
10 multiple international student journalists have declined assignments, removed their bylines, or
11 resigned entirely out of fear that their reporting could be used as grounds for deportation. Amici
12 States have a strong interest in ensuring basic constitutional protections for all our residents, citizen
13 and noncitizen alike.

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16 The Defendants’ censorship of lawfully present noncitizens inflicts concrete, measurable
17 harm on Amici States. As detailed *infra*, noncitizen students and faculty make substantial economic
18 contributions to the Amici States. But their importance transcends economics; they enrich our
19 academic discourse, strengthen our research capabilities, and enhance our global competitiveness.
20 When students and faculty fear deportation for expressing certain viewpoints, the entire academic
21 experience suffers. Classroom discussions become less robust, research questions go unexplored,
22 and the pursuit of truth—the very purpose of higher education—is compromised. And the
23 Defendants’ actions send a chilling message to talented students and faculty around the world: that
24 they risk detention, deportation, and an end to their academic career in the United States if they
25 express a viewpoint that displeases the Executive Branch. This message is already weakening
26 Amici States’ position in the global competition for talent. Recent analyses project a steep drop in
27
28

1 international student enrollment in the United States—up to 150,000 fewer international students
 2 this fall alone—because of these (and other) punitive immigration policies.²

3 Amici States thrive by attracting a diversity of talent from around the world. The Trump
 4 Administration’s systematic program of targeted ideological revocations and deportations threatens
 5 not just our economies but our identities as Amici States, who value freedom of thought and
 6 expression. In the words of formerly detained Tufts student Rümeysa Öztürk, “the world is a more
 7 beautiful and peaceful place when we listen to each other and allow different perspectives to be in
 8 the room.”³ Amici States have a profound interest in protecting our noncitizen students and faculty,
 9 the institutions they enrich, and the communities that realize far-reaching benefits from their
 10 decision to study in the United States. We urge this Court to recognize these benefits—and the
 11 corresponding concrete harms this policy inflicts—by entering judgment in favor of Plaintiffs to
 12 end the policy and practice of targeting our noncitizen residents for investigation, surveillance,
 13 arrest, detention, and deportation based upon their protected beliefs and expression.

16 II. Background

17 A. *The Ideological Deportation Policy*

18 The Trump Administration, through two executive orders, laid the groundwork for
 19 deporting noncitizens with whom it politically disagrees. *See* Complaint ¶¶ 36-38 (citing executive
 20 orders as evidence of the Trump Administration’s targeting of noncitizens based on speech). *First*,
 21 Executive Order 14161 entitled “Protecting the United States from Foreign Terrorists and Other
 22 National Security and Public Safety Threats,” directs federal agencies to “vet and screen to the
 23

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 25 ² Claire Rafford, *Fewer international students are in Indianapolis this fall*, Open Campus
 26 (Sept. 26, 2025), <https://www.opencampus.org/2025/09/26/fewer-international-students-are-in-indianapolis-this-fall/>.

27 ³ Sean Cotter, et al., *Lawyers spar over court jurisdiction in case of Rümeysa Öztürk*,
 28 *detained Tufts student*, Boston Globe (Apr. 3, 2025), <https://www.bostonglobe.com/2025/04/03/metro/ozturk-hearing-in-boston-federal-court/>.

1 maximum degree possible” foreign nationals seeking admission to (or already present in) the
 2 United States based not only on security concerns but also vague ideological grounds. Exec. Order
 3 14,161, § 2, 90 Fed. Reg. 8451 (Jan. 20, 2025). The Executive Order targets those who “espouse
 4 hateful ideology” and who “bear hostile attitudes toward [America’s] citizens, culture, government,
 5 institutions, or founding principles.” *Id.* § 1. *Second*, Executive Order 14188 entitled “Additional
 6 Measures to Combat Anti-Semitism,” intensifies this ideological vetting by urging particular
 7 scrutiny and potential removal of noncitizens affiliated with universities who engage in speech the
 8 Trump Administration deems anti-Semitic. This includes protected political expression, such as
 9 criticisms of the government and its position on the war in Gaza. Exec. Order 14,188, 90 Fed. Reg.
 10 8847 (Jan. 29, 2025). A White House fact sheet accompanying the second order makes its
 11 ideological purpose clear: it targets “leftist, anti-American colleges and universities,” applies to all
 12 “resident aliens who joined in the pro-jihadist protests,” and represents a “promise” that the
 13 government “will find you . . . and deport you.”⁴ In effect, the first order authorizes an expansive
 14 regime of ideological deportations that the second order then aims at noncitizens attending colleges
 15 and universities who express pro-Palestinian viewpoints.

18 Combined, these orders empower the federal government to monitor, investigate, and
 19 deport noncitizens, not for actions that pose direct threats to national security or public safety but
 20 for expressions of political opinion. The Executive Orders thus direct the use of immigration laws
 21 to police dissent and chill First Amendment-protected speech.

26 _____
 27 ⁴ The White House, *Fact Sheet: President Donald J. Trump Takes Forceful and*
 28 *Unprecedented Steps to Combat Anti-Semitism*, (Jan. 30, 2025),
[https://www.whitehouse.gov/fact-sheets/2025/01/fact-sheet-president-donald-j-trump-takes-](https://www.whitehouse.gov/fact-sheets/2025/01/fact-sheet-president-donald-j-trump-takes-forceful-and-unprecedented-steps-to-combat-anti-semitism/)
[forceful-and-unprecedented-steps-to-combat-anti-semitism/](https://www.whitehouse.gov/fact-sheets/2025/01/fact-sheet-president-donald-j-trump-takes-forceful-and-unprecedented-steps-to-combat-anti-semitism/).

To implement these Executive Orders, the Department of Homeland Security (DHS) “proactively review[ed] open-source information to identify individuals[.]”⁵ Such “open-source information,” the government says, consists of “unclassified information that has been published or broadcast in some manner to the general public.”⁶ DHS then communicated that open-source information to the Department of State, which makes a decision about visa or other status revocation in “reli[ance] upon the underlying information and assessment provided by DHS/ICE.”⁷ In some cases, revocations that follow have been alleged to be rooted in the Secretary of State’s statutory authority under 8 U.S.C. § 1227(a)(4)(C)(i), which authorizes deportation when the Secretary “has reasonable ground to believe [the individual’s presence in the United States] would have potentially serious adverse foreign policy consequences for the United States.”⁸ More often, the government has relied on the Secretary of State’s discretionary revocation authority. *See* 8 U.S.C. § 1201(i). To date, this “open-source” process has resulted in the revocation of more than 6,000 visas of noncitizen students—many of whom studied and lived in Amici States.⁹

⁵ Decl. of Unit Chief Roy M. Stanley, Doc. 30-2 at ¶ 5, *Taal v. Trump*, No. 3:25-cv-00335, 2025 WL 926207 (N.D.N.Y. Mar. 27, 2025).

⁶ *Id.*

⁷ Decl. of John Armstrong, Doc. 30-3 at ¶ 5, *Taal*, 2025 WL 926207.

⁸ Ironically, that statutory authority was meant to *eliminate* the McCarthy-era practice of ideological exclusion. *See* 8 U.S.C. § 1182 (a)(3)(C)(iii) (prohibiting exclusion “because of the alien’s past, current, or expected beliefs, statements, or associations . . . unless the Secretary of State personally determines that the alien’s admission would compromise a compelling United States foreign policy interest”); Steven A. Holmes, *Legislation Eases Limits on Aliens*, N.Y. Times (Feb. 2, 1990), <https://www.nytimes.com/1990/02/02/us/legislation-eases-limits-on-aliens.html> (“In yet another sign of diminishing world tensions, the Senate this week gave final Congressional approval to repealing a provision of a McCarthy-era law that bars foreigners from visiting the United States because of their political beliefs.”); *see also* ACLU, *The Excluded: Ideological Exclusion and the War on Ideas* at 6 (2007), <https://www.aclu.org/documents/excluded-ideological-exclusion-and-war-ideas>.

⁹ *See* Ana Faguy, *US State Department revoked 6,000 student visas*, BBC (Aug. 18, 2025), <https://www.bbc.com/news/articles/cz93vznxd07o>. Secretary of State Rubio has also ordered diplomats overseas to scrutinize social media content of some applicants for student and other types of visas, as well as some current visa holders, “in an effort to bar those suspected of criticizing the United States and Israel from entering the country, U.S. officials say.” Edward

(continued...)

Consistent with Executive Order 14188, many of the revocations have focused on supporters of Palestinian rights on college campuses. As just one example, on March 25, plainclothes Immigration and Customs Enforcement (ICE) agents surrounded Rümeyza Öztürk—an international Ph.D. student at Tufts University—and took her into immigration custody, apparently for co-authoring an op-ed in the school newspaper. Other students have either been taken into ICE custody or self-deported after the revocation of their lawful status, all for expressing their support for Palestinian rights. *See* Complaint ¶¶ 40-64 (collecting cases). Each of these students was targeted for enforcement as part of a systematic effort by the Trump Administration—via the explicit directive of Executive Order 14188—to use federal immigration laws to punish noncitizen students (and others) associated with pro-Palestinian beliefs. *See Ozturk v. Hyde*, No. 1:25-cv-10695-DJC, 2025 WL 1009445, Doc. 42 at 7-8 (D. Mass. Mar. 28, 2025) (Casper, J.) (“Ozturk’s case is one of several cases in which the Trump Administration has implemented these Executive Orders by revoking the immigration status of non-citizens who expressed support for Palestine.”). In a typical case involving the revocation of a student visa it might have required lengthy discovery to uncover ICE’s viewpoint discrimination and retaliatory motive, but this Administration has made no effort to disguise the reasons for its actions. The Executive Orders themselves are explicit. And even before the inauguration, President Trump repeatedly threatened to deport any pro-Palestinian student protesters, saying: “Any student that protests, I [will] throw them out of the country.”¹⁰ In the recent *AAUP v. Rubio* trial, evidence showed that special agents ordinarily reserved for sensitive

Wong, *Rubio Orders U.S. Diplomats to Scour Student Visa Applicants’ Social Media*, N.Y. Times (Mar. 25, 2025), <https://www.nytimes.com/2025/04/01/us/politics/student-visas-social-media.html>. This new scrutiny appears to be tied to the start of the war in Gaza, as it applies to any applicants who previously held a student or exchange visa between October 7, 2023 and August 31, 2024, or had their visa terminated between October 7, 2023 and now. *Id.*

¹⁰ Josh Dawsey, et al., *Trump told donors he will crush pro-Palestinian protests, deport demonstrators*, Washington Post (May 27, 2024), <https://www.washingtonpost.com/politics/2024/05/27/trump-israel-gaza-policy-donors/>.

national security investigations were reassigned to carry out this campaign—effectively “rounding up campus protestors and op-ed writers” at universities.¹¹

Senior members of the Administration have echoed the President’s ideological motive. For example, when asked about Öztürk’s detention, Secretary of State Marco Rubio announced the revocation of her visa, explaining, “we gave you a visa to come and study and get a degree, not to become a social activist that tears up our university campuses.”¹² There is no evidence that Öztürk “tore up” anything at Tufts; indeed, the only “open-source” reason for her arrest appears to be her authorship of an op-ed in her school newspaper—written with three fellow students and endorsed by 32 others—addressed to Tufts University administrators, arguing that their response to a resolution passed by student government concerning the war in Gaza had been inadequate.¹³ Her visa revocation, arrest, and detention was a transparent attack on free speech.¹⁴

The aggressive tactics employed to enforce the ideological deportation policy lay bare its true intent: intimidating noncitizens into silence. A sudden loss of a visa or status may result in the individual being immediately deportable. But ICE is not merely initiating deportation proceedings.

¹¹ *AAUP v. Rubio*, No. 1:25-cv-10685, Doc. 261 at 137 (Sept. 30, 2025) (D. Mass.).

¹² C-SPAN, *Secretary Rubio Defends Revoking Turkish Student’s Visa*, Mar. 27, 2025, <https://www.c-span.org/clip/news-conference/secretary-rubio-defends-revoking-turkish-students-visa/5158479>.

¹³ See Rümeyza Öztürk, et al., *Op-ed: Try again, President Kumar: Renewing calls for Tufts to adopt March 4 TCU Senate resolutions*, The Tufts Daily (Mar. 26, 2024), www.tuftsdaily.com/article/2024/03/4ftk27sm6jkj.

¹⁴ The Ideological Deportation Policy may have started with those expressing pro-Palestinian beliefs, but it will not end with them. See Andy J. Semotiuk, *Silencing Dissent: U.S. Moves To Deport Kremlin Critic Kseniia Petrova*, Forbes (Mar. 30, 2025), <https://www.forbes.com/sites/andyjsemotiuk/2025/03/30/silencing-dissent-us-moves-to-deport-kremlin-critic-kseniia-petrova/>; Jack Healy & Jazmine Ulloa, *‘We Finally Got You.’ Immigrant-Rights Advocate Arrested in Colorado*, N.Y. Times (Mar. 18, 2025), <https://www.nytimes.com/2025/03/18/us/immigrant-arrest.html>; Eilis O’Neill, et al., *ICE detains leader of farmworker union in northwest Washington state*, KUOW (Mar. 26, 2025), <https://www.kuow.org/stories/ice-detains-farmworker-activist-in-northwest-washington-state>; Aurelien Breden, *U.S. Turned Away French Scientist Over Views on Trump Policies*, N.Y. Times (Mar. 20, 2025), <https://www.nytimes.com/2025/03/20/world/europe/us-france-scientist-entry-trump-messages.html>.

1 Instead, ICE is resorting to alarming displays of power. Öztürk, for example, was walking to a
 2 friend's house to share a meal to end her Ramadan fast when she was physically restrained by six
 3 plain-clothes federal officers (most of them masked), handcuffed, placed in an unmarked vehicle,
 4 and quickly driven away and out of state.¹⁵ These dramatic actions were neither required to advance
 5 national security nor justified by any conceivable risk the student posed. Rather, the point *is* fear.
 6 The calculated use of the arrest power and arbitrary detention thousands of miles away from their
 7 homes sends a powerful message: the federal government seeks to punish noncitizens for exercising
 8 their constitutionally protected speech and to instill pervasive fear that suppresses dissent.¹⁶ Indeed,
 9

10
 11 ¹⁵ Öztürk was seized at 5:49 P.M. in Somerville, Massachusetts, about 15 miles from the
 12 nearest ICE Field Office in Burlington, Massachusetts. *See* Decl. of Acting Deputy Field Office
 13 Director David T. Wesling, *Ozturk v. Trump*, No. 1:25-cv-10695-DJC, Doc. 19-1 at ¶ 10 (D.
 14 Mass. Apr. 4, 2025). But she was taken to Lebanon, New Hampshire within an hour of her arrest
 15 (at 6:36 P.M.). She then sat in Lebanon for two and a half hours, *id.* at ¶¶ 11-12, before being
 16 processed at the ICE Field Office in St. Albans, Vermont, over 230 miles from Somerville. *Id.* at
 17 ¶¶ 12-13. The government claims that this circuitous route was followed because of “operational
 18 necessity and considerations.” *Id.* at ¶ 7. The next day Öztürk was flown to Louisiana, where she
 19 was detained. *Id.* at ¶ 18. *See Ozturk v. Hyde*, 2025 WL 1009445, Doc. 42 at 18-22 (Casper, J.)
 20 (citing the government’s “furtiveness” and the “irregularity” of her transfer process “coupled with
 21 the failure to disclose Ozturk’s whereabouts even after the government was aware that she had
 22 counsel and the Petition was filed in this Court”). Overall, Öztürk was detained from March 25th
 23 to May 9th, when she was ordered released pending a final decision on her legal challenge to her
 24 detention. *See Ozturk v. Trump*, 2025 WL 1355667 (May 9, 2025).

25 ¹⁶ These ideological deportations are just one of many actions taken by the Trump
 26 Administration meant to terrify immigrants across the country. It has admitted to deporting at
 27 least one person in error, taken a Massachusetts defendant from state court mid-trial, and bragged
 28 about shipping noncitizens en masse to a “notoriously brutal” prison in El Salvador where they
 will “face immediate and intentional life-threatening harm” and “egregious human rights abuses.”
Trump v. J.G.G., 604 U.S. ___, 2025 WL 1024097 (2025) (Sotomayor, J., dissenting). The
 Administration has also been accused of ignoring federal court orders meant to ensure noncitizens
 receive due process; it has argued that even when it does make a mistake, it cannot retrieve
 people from the foreign prisons to which it sends them. *See id.* Recently, in Chicago, federal
 immigration agents have used chemical agents near a public school and deployed a helicopter
 during an enforcement action at a five-story apartment building. *See Sophia Tareen, Using*
helicopters and chemical agents, immigration agents become increasingly aggressive in Chicago,
 AP News (Oct. 6, 2025), <https://apnews.com/article/chicago-immigration-federal-arrests-helicopter-trump-ice-8dbf688f78f3b6d1b8fdb989557b28c4>. These actions have had their
 intended effect. *See generally* M. Gessen, *Unmarked Vans. Secret Lists. Public Denunciations.*
Our Police State Has Arrived., N.Y. Times (Apr. 2, 2025),

(continued...)

the *AAUP* Court confirmed as much, concluding that “ICE goes masked for a single reason—to terrorize Americans into quiescence.”¹⁷ The Administration’s actions reflect the unconstitutional use of immigration enforcement to deport noncitizens for expressing opinions with which the government disagrees, and its aggressive tactics are designed precisely to instill fear and stifle dissent.

This campaign of ideological deportations has now been resoundingly repudiated in court. After a nine-day bench trial, the United States District Court for the District of Massachusetts ruled in *AAUP v. Rubio* that the Administration’s policy of arresting, detaining, and deporting noncitizen students for their campus advocacy violates the First Amendment.¹⁸ The Court held that the defendants (the same defendants as in this case)—Secretaries Rubio and Noem—acted intentionally “to chill the rights to freedom of speech and peacefully to assemble of the non-citizen plaintiff members of the plaintiff associations.”¹⁹ The ruling underscores that the First Amendment draws no line between citizens and lawfully present noncitizens when it comes to core political speech.²⁰ That principle guides Amici States’ arguments here.

B. Noncitizen Residents, Students, and Faculty Benefit Amici States

Noncitizen residents contribute substantially to the economic, cultural, and intellectual vitality of Amici States. In their communities, these residents generate significant tax revenue, fill critical workforce gaps, and start businesses that create jobs. In the educational context,

<https://www.nytimes.com/2025/04/02/opinion/trump-ice-immigrants.html> (“It’s the chilling stories that come by word of mouth. ICE is checking documents on the subway. ICE is outside New York public libraries that hold English-as-a-second-language classes. ICE agents handcuffed a U.S. citizen who tried to intervene in a detention in Harlem. ICE vehicles are parked outside Columbia. ICE is coming to your workplace, your street, your building. ICE agents are wearing brown uniforms that resemble those of UPS—don’t open the door for deliveries. Don’t leave the house. The streets in the New York neighborhoods with the highest immigrant populations have emptied out.”).

¹⁷ *AAUP v. Rubio*, No. 1:25-cv-10685, Doc. 261 at 98 (Sept. 30, 2025) (D. Mass.).

¹⁸ *See AAUP v. Rubio*, No. 1:25-cv-10685, Doc. 261 (Sept. 30, 2025) (D. Mass.).

¹⁹ *Id.* at 5.

²⁰ *Id.* at 3.

international students and faculty enrich campus life through their diverse perspectives and contributions to innovation and research advancements that help maintain the competitiveness and prestige of our colleges and universities. Their presence deepens relationships and ties that create long-term advantages for Amici States' economic development, cultural enrichment, and international standing.

Noncitizen residents contribute to the Amici States' economies, labor forces, and communities in several important ways. Immigrant-led households in Massachusetts, for example, earned over 15% of all income earned in the Commonwealth in 2014.²¹ "With those earnings, the state's foreign-born households were able to contribute more than one in every seven dollars paid by Massachusetts residents in state and local tax revenues, payments that support important public services such as public schools and police."²² Immigrants make up a large portion of the Massachusetts labor force (21.9%) and a disproportionate share of the Commonwealth's entrepreneurs (27%), STEM workers (29.3%), and health aides (38.6%).²³ California has over 880,000 immigrant entrepreneurs, who contribute \$28.4 billion in business income; 28 Fortune 500 companies in California were founded by immigrants or the children of immigrants.²⁴ Simply put, the contributions of these residents strengthen our states' fiscal health and global competitiveness.

²¹ New American Economy, *The Contributions of New Americans in Massachusetts* (Aug. 2016), <https://research.newamericaneconomy.org/wp-content/uploads/2017/02/nae-ma-report.pdf>. Note that 53% of immigrants in Massachusetts are naturalized citizens. See American Immigration Council, *New Americans in Massachusetts* (2023), <https://map.americanimmigrationcouncil.org/locations/massachusetts/> (last visited Oct. 7, 2025).

²² *The Contributions of New Americans in Massachusetts*, *supra* note 21.

²³ *The Contributions of New Americans in Massachusetts*, *supra* note 21. See generally, Aidan Enright, et al., *International Students: Poorly Suited Immigration Pathways Stymie Formation of High Growth Businesses* 4, Pioneer Institute, (July 2024), <https://files.eric.ed.gov/fulltext/ED656349.pdf> ("A significant body of research has found that immigrants are more likely to start businesses than those born in the U.S., and the propensity of international students to concentrate in STEM fields indicates enormous potential for economic contributions.").

²⁴ American Immigration Council, *Immigrants in California*, <https://map.americanimmigrationcouncil.org/locations/california/> (last visited Oct. 7, 2025).

1 In the community, noncitizens revitalize neighborhoods by introducing diverse arts, cuisine, and
 2 traditions that strengthen community bonds.²⁵ In healthcare settings, noncitizen professionals often
 3 provide care to medically underserved communities and bridge critical language gaps.²⁶ The
 4 presence of noncitizens promotes multilingualism and cultural competency among native-born
 5 residents, preparing future generations for success in an increasingly interconnected world.²⁷

7 Beyond these economic and community impacts, noncitizen residents are vital to the
 8 success of Amici States' academic institutions. International students and faculty are invaluable
 9 members of our campus communities. During the 2023 to 2024 school year, Amici States hosted
 10 nearly 640,000 international students who supported more than 235,000 jobs and contributed
 11 approximately \$27.5 billion annually to our economies through tuition, living expenses, and related
 12 spending.²⁸ These students and faculty members bring diverse perspectives that enhance Amici

15 ²⁵ See Americans for the Arts, *Arts Impact Explorer Fact Sheet: Arts + Immigration* (July 2024), <https://ww2.americansforthearts.org/sites/default/files/2025-01/Arts%20%2B%20Immigration.pdf> (noting that “[f]ifty-seven percent of Americans believe that immigrants improve the quality of the food, music, and arts in the United States”).

17 ²⁶ See Morhaf Al Achkar, et al., *Integrating Immigrant Health Professionals into the U.S. Healthcare Workforce: Barriers and Solutions*, J. Immigr. Minor Health, (Apr. 2023), <https://pmc.ncbi.nlm.nih.gov/articles/PMC10119818/> (“Immigrant health professionals play essential roles in today’s health system. Not only do immigrant health professionals help relieve workforce shortages, especially in under-resourced areas, they also bring awareness of and sensitivities to the needs and health challenges of their communities.”); L.E. Gomez & Patrick Bernet, *Diversity improves performance and outcomes*, 111 J. Nat’l Med. Ass’n 383, 391 (Aug. 2019), <https://www.sciencedirect.com/science/article/abs/pii/S0027968418303584?via%3Dihub> (compiling research on the healthcare industry and concluding that “[d]iversity can help organizations improve both patient care quality and financial results”).

23 ²⁷ See, e.g., Brian D. Smedly, et al., Institute of Medicine (US) Committee on Understanding and Eliminating Racial and Ethnic Disparities in Health Care, *Unequal Treatment: Confronting Racial and Ethnic Disparities in Healthcare*, at 123 (2003), https://www.ncbi.nlm.nih.gov/books/NBK220358/pdf/Bookshelf_NBK220358.pdf, (“Racial and ethnic diversity of health professions faculty and students helps to ensure that all students will develop the cultural competencies necessary for treating patients in an increasingly diverse nation.”).

27 ²⁸ See NAFSA: Association of International Educators, *NAFSA International Student Economic Value Tool* (2023-24), <https://www.nafsa.org/policy-and-advocacy/policy-resources/nafsa-international-student-economic-value-tool-v2> (last visited Oct. 7, 2025).

1 States' educational environments, with international students and scholars fostering global
 2 awareness and cross-cultural understanding in classrooms and research settings.²⁹ For many
 3 students, campus life is the first time they are living with and studying alongside students from
 4 different countries and cultures. These interactions expand students' worldviews, build cultural
 5 empathy, and help develop them into global leaders.

7 Amici States' public colleges and universities are deeply committed to global engagement,
 8 partnering with international counterparts to facilitate research projects and academic programs all
 9 over the world. UMass Amherst alone has partnerships in 36 countries.³⁰ The University of
 10 Washington has over 200 partnerships spanning 47 countries.³¹ Public colleges and universities in
 11 Amici States have intentionally fostered these connections because international collaboration
 12 benefits communities at the local, national, and international level.³² Amici States' public colleges
 13 and universities also have a long tradition of hosting foreign students and scholars. These programs
 14 reflect the reciprocal benefits conferred by foreign exchange: Amici States gain and grow
 15 economically, socially, and culturally from the presence of noncitizen students and faculty while
 16 the international community benefits immensely by the knowledge-sharing and global problem-
 17 solving these exchanges allow.

20 ²⁹ Empirical research suggests that academic performance improves as the
 21 percentage of immigrant students increases. See Paul N'Dri Konan, et al., *Cultural Diversity in*
 22 *the Classroom and its Effects on Academic Performance: A Cross-National Perspective*, 41 Soc.
 23 Psych. 230-37 (2010); see also Judit Kende, et al., *Social and institutional inclusion in*
 24 *multi-ethnic schools enable better intergroup relations for majority youth and higher school*
 25 *achievement for minority youth*, 103 Int'l J. of Intercultural Rels. (Nov. 2024),
<https://www.sciencedirect.com/science/article/pii/S0147176724001573>; Diana F. Yefanova, et
 26 al., *Instructional Practices Facilitating Cross-National Interactions in Undergraduate Classes*, 7
 27 J. of Int'l Students 786 (2017).

28 ³⁰ UMass Amherst, *Global Partnerships*, <https://www.umass.edu/global-affairs/global-partnerships> (last visited Oct. 7, 2025).

³¹ See University of Washington, *A Global University*, <https://www.washington.edu/global/> (last visited Oct. 7, 2025).

³² See, e.g., University of Illinois System, *International Partnerships*,
https://www.uillinois.edu/about/international_partnerships.

1 In short, noncitizen residents are indispensable to Amici States. They contribute
 2 significantly to local economies and launch businesses that create jobs for citizens and noncitizens
 3 alike. They advance research that addresses pressing challenges. They are drivers of innovation and
 4 entrepreneurship. They are neighbors, friends, and pillars of our communities. The benefits they
 5 afford the Amici States cannot be overstated.

7 **III. The Ideological Deportation Policy Inflicts Severe and Irreparable Harm on Amici 8 States and is Contrary to the Public Interest**

9 The Administration's policy of ideological visa revocations and deportations violates the
 10 First Amendment as a matter of law. There is no genuine dispute that Defendants have used
 11 immigration authority to punish individuals with lawful status for their political expression and
 12 associations. The record—including the Executive Orders' express text, the Administration's own
 13 public statements, and the federal government's pattern of enforcement—demonstrates that the
 14 policy's purpose and effect are to suppress speech disfavored by the current Administration.

15 State universities, public colleges, and research institutions in the Amici States have already
 16 and will continue to suffer concrete harm: international students and scholars have been silenced,
 17 academic collaborations disrupted, and campus publications forced to curtail coverage out of fear
 18 that protected expression will trigger immigration reprisals. The Ideological Deportation Policy
 19 also harms Amici States' public safety, public health, and religious worship. Amici States therefore
 20 support declaratory and injunctive relief to restore the conditions of free inquiry and expression
 21 that the First Amendment guarantees and that the States depend upon to sustain their educational
 22 and civic missions.

24 **A. If Not Enjoined, the Ideological Deportation Policy Will Continue to Inflict 25 Educational and Institutional Harm on Colleges and Universities Within 26 Amici States**

27 When noncitizen students and faculty face potential deportation based on their expressed
 28 viewpoints, every aspect of the academic ecosystem is damaged. Classroom discussions become

1 artificially constrained, as international participants either stop attending altogether or self-censor
 2 to avoid expressing perspectives on issues that might be deemed controversial, especially on topics
 3 of public interest and import. In fact, speech on topics of public interest enjoys greater constitutional
 4 protection, not less.³³ That heightened protection is most necessary in the classroom, where
 5 students must challenge one another's assumptions, broaden one another's perspectives, and
 6 ultimately educate one another through the collision of diverse viewpoints.³⁴ That is why the First
 7 Amendment simply "does not tolerate laws that cast a pall of orthodoxy over the classroom"
 8 because "[t]he classroom is peculiarly the 'marketplace of ideas.'" *Keyishian v. Bd. of Regents of*
 9 *Univ. of State of N.Y.*, 385 U.S. 589, 603 (1967) (citation omitted).

11 By punishing protected expression, the Ideological Deportation Policy defrauds that
 12 marketplace and degrades the educational experience: from one of authentic intellectual exploration
 13 to a stilted performance where certain voices remain deliberately silent. Student organizations,
 14 publications, and campus activism—all training grounds for democratic participation—are now
 15 divided between students who can speak freely and those who cannot (because they fear retaliation
 16 under the Ideological Deportation Policy). This division creates a separate and unequal educational
 17 environment, including at Amici States' public colleges and universities, in which some students
 18 can participate in campus life and develop their intellectual identities while others fear reprisal for
 19 expressing certain (protected) viewpoints. Where even a small number of students self-censor, the
 20 educational experience for all suffers.³⁵ This harm is exacerbated by the arbitrariness of the

23 _____
 24 ³³ See *Snyder v. Phelps*, 562 U.S. 443, 452 (2011) ("[S]peech on public issues occupies
 25 the highest rung of the hierarchy of First Amendment values, and is entitled to special
 26 protection." (citation omitted)).

26 ³⁴ See, e.g., Mission of the California State University, [https://www.calstate.edu/csu-](https://www.calstate.edu/csu-system/about-the-csu/Pages/mission.aspx)
 27 [system/about-the-csu/Pages/mission.aspx](https://www.calstate.edu/csu-system/about-the-csu/Pages/mission.aspx) (last visited Oct. 7, 2025) ("[T]he California State
 28 University . . . [e]ncourages free scholarly inquiry and protects the University as a forum for the
 discussion and critical examination of ideas, findings, and conclusions.").

³⁵ For example, after witnessing the first arrests under this policy, one international

(continued...)

1 government's Ideological Deportation Policy.³⁶ Though crystal clear in its ideological and
 2 censorial nature, the policy does not specify what particular views will subject students to it.

3 Beyond the classroom, "[s]cholarship cannot flourish in an atmosphere of suspicion and
 4 distrust." *Sweezy v. State of N.H. ex rel. Wyman*, 354 U.S. 234, 250 (1957). Academic inquiry is
 5 compromised when scholars must weigh immigration consequences alongside intellectual pursuits.
 6 International academics might abandon promising areas of research, decline to challenge prevailing
 7 orthodoxies, or temper their findings to avoid conclusions that might be dissatisfactory to the
 8 federal government.³⁷ Such constraints will stifle innovation. The rapid development of COVID-
 9 19 vaccines, for example, illustrates the importance of open dialogue to scientific achievement, as
 10 "[r]esearchers developed ad hoc research collaborations across disciplines, institutions and
 11 borders."³⁸ Universities played an important role in that global effort.³⁹ Self-censorship also
 12 undermines the peer review process, which depends on honest and robust critique. And academic
 13 conferences—essential for the exchange of ideas on campuses—lose their vitality when
 14
 15

16
 17 professor testified at the *AAUP v. Rubio* trial that he "decided on a blanket policy" to "keep his
 18 head down completely," vowing he "would not go to protests . . . not write . . . not sign on to
 19 public letters" anymore. He even canceled travel to see his terminally ill brother, rather than risk
 20 drawing attention to himself. *AAUP v. Rubio*, No. 1:25-cv-10685, Doc. 261 at 77-78 (Sept. 30,
 2025) (D. Mass.). As this example illustrates, the policy is silencing scholars and students,
 21 diminishing the free exchange of ideas on campus.

22 ³⁶ See *Cramp v. Bd. of Pub. Instruction of Orange Cnty.*, 368 U.S. 278, 287 (1961) ("The
 23 vice of unconstitutional vagueness is further aggravated where, as here, the [policy] . . . inhibit[s]
 24 the exercise of individual freedoms affirmatively protected by the Constitution.").

25 ³⁷ See Miri Yemini, *Bridging Borders: Toward Equity in International Research
 26 Collaborations* NAFSA (Nov./Dec. 2024), [https://www.nafsa.org/professional-resources/
 27 research-and-trends/trends-insights/bridging-borders-novdec24](https://www.nafsa.org/professional-resources/research-and-trends/trends-insights/bridging-borders-novdec24) ("International research
 28 collaborations have become essential tools in advancing knowledge, offering benefits to
 researchers, practitioners, higher education institutions, nation-states, international organizations,
 and funding agencies.").

³⁸ Chris Yiu, et al., *A research and policy agenda for the post-pandemic world*, *Future
 Healthcare J.* (July 2021), <https://pmc.ncbi.nlm.nih.gov/articles/PMC8285152/>.

³⁹ See John P. Moore & Ian A. Wilson, *Decades of basic research paved the way
 for today's 'warp speed' Covid-19 vaccines*, *Stat* (Jan. 5, 2021), [https://www.statnews.com/
 2021/01/05/basic-research-paved-way-for-warp-speed-covid-19-vaccines/](https://www.statnews.com/2021/01/05/basic-research-paved-way-for-warp-speed-covid-19-vaccines/) (noting that the
 technology used in the vaccines "emerged during the past decade from university laboratories").

1 international participants must either cancel or temper their contributions. Spontaneous exchanges
 2 are replaced with sanitized interactions. This not only deprives the academic community of diverse
 3 insights but also sends a message that certain perspectives are unwelcome as part of the intellectual
 4 discourse on college campuses within Amici States.

5
 6 Censorship thus threatens the First Amendment rights of both speaker and audience, as
 7 “[t]he right of freedom of speech . . . necessarily protects the right to receive it.” *Martin v. City of*
 8 *Struthers*, 319 U.S. 141, 143 (1943). Indeed, this is precisely the reason why “[v]iewpoint
 9 discrimination is . . . an egregious form of content discrimination” and “[t]he government *must*
 10 abstain from regulating speech when the specific motivating ideology or the opinion or perspective
 11 of the speaker is the rationale for the restriction.” *Rosenberger v. Rector & Visitors of Univ. of Va.*,
 12 515 U.S. 819, 829 (1995) (emphasis added). That holds true whether those viewpoint-based
 13 restrictions on protected speech are achieved through explicit government censorship, a deliberately
 14 ambiguous enforcement policy, or the more insidious mechanism of selective vulnerability of the
 15 speaker to government retaliation.

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 17 Here, the ambiguity of the Ideological Deportation Policy deepens its chilling effect. For
 18 example, Secretary of State Rubio’s diplomatic cable requiring enhanced social media vetting
 19 procedures for certain visa holders and applicants (referenced *supra* note 9) tells diplomats to look
 20 for “conduct that bears a hostile attitude toward U.S. citizens or U.S. culture (including government,
 21 institutions, or founding principles).”⁴⁰ The astonishing breadth of this description of the speech
 22 prohibited—which readily includes *any* criticism of “U.S. citizens or U.S. culture”—combined
 23 with the government’s relentless assertion of pretexts every time it enforces the policy, has left its
 24 contours completely ill-defined. And “[u]ncertain meanings inevitably lead citizens to steer far
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 28 ⁴⁰ Marisa Kabas, *State Dept. demands ‘enhanced’ social media vetting of student visa applicants*, The Handbasket (Mar. 26, 2025), <https://www.thehandbasket.co/p/state-dept-enhanced-social-media-vetting-student-visa-applicants>.

1 wider of the unlawful zone than if the boundaries of the forbidden areas were clearly marked.”
 2 *Grayned v. City of Rockford*, 408 U.S. 104, 109 (1972) (cleaned up). In the face of such ambiguity,
 3 noncitizen students and faculty are left to guess at what speech might trigger their deportation,
 4 creating a chilling effect on speech and scholarship that extends far beyond what even the policy
 5 itself might have been intended to proscribe. Here, that repressive chill is especially profound
 6 because speakers may face punishment as grave as deportation, which can mean the loss “of all that
 7 makes life worth living.” *Ng Fung Ho v. White*, 259 U.S. 276, 284 (1922). Indeed, for these reasons,
 8 the *AAUP* Court recognized that the ideological deportation policy “would cause a reasonable
 9 would-be speaker to self-censor, such that the challenged policy objectively chills protected
 10 expression.”⁴¹

12 Although these harms derive from core First Amendment principles, they are not abstract.
 13 International students and faculty across Amici States fear the Ideological Deportation Policy,
 14 leading to censorship in their expression, studies, and research.⁴² According to a declaration filed

17 ⁴¹ *AAUP v. Rubio*, No. 1:25-cv-10685, Doc. 261 at 115 (Sept. 30, 2025) (D. Mass.)
 18 (citations omitted).

19 ⁴² Countless news articles have documented this chilling effect. See Emma Johnson,
 20 ‘SCARED TO LEAVE MY HOUSE’ Mavericks react to ICE-detained student, what’s being done,
 21 The Reporter (Apr. 8, 2025), <https://www.msureporter.com/2025/04/08/scared-to-leave-my-house/>;
 22 Anvee Bhutani, *US student journalists go dark fearing Trump crusade against pro-Palestinian speech*,
 23 The Guardian (Apr. 7, 2025), <https://www.theguardian.com/us-news/2025/apr/07/student-journalists-remove-stories-trump>;
 24 Jeff Tollefson, *International PhD students make emergency plans in fear of US immigration raids*, Nature (Apr. 4, 2025),
 25 <https://www.nature.com/articles/d41586-025-01056-5>; Lexi Lonas Cochran, *Trump crackdown casts chill over international student programs*, The Hill (Apr. 3, 2025), <https://thehill.com/homenews/education/5226292-trump-immigration-crackdown-international-students-college-campus-protests-ice-rubio-deportation-khalil/>;
 26 Benjamin Bardman, *Trump Immigration Actions are Likely to Have a Chilling Effect on Online Speech*, Vanderbilt J. of Ent. & Tech. L. (Mar. 31, 2025), <https://www.vanderbilt.edu/jetlaw/2025/03/31/trump-immigration-actions/>;
 27 Olivia Ebertz, *Deportations and detainments are having a chilling effect at Brown*, Rhode Island PBS (Mar. 27, 2025), <https://thepublicradio.org/education/deportations-and-detainments-are-having-a-chilling-effect-at-brown/>;
 28 Liam Knox, *‘Palpable Fear’ Hangs Over International Students*, Inside Higher Ed (Mar. 18, 2025), <https://www.insidehighered.com/news/global/international-students-us/2025/03/18/international-students-navigate-escalating-threats>.

1 by Tufts University in support of Rümeysa Öztürk’s habeas petition, “[t]he University has heard
2 from students, faculty and staff who are forgoing opportunities to speak at international conferences
3 and avoiding or postponing international travel. In the worst cases, many report being fearful of
4 leaving their homes, even to attend and teach classes on campus.”⁴³ Similarly, at some
5 Massachusetts state colleges and universities faculty members have decided not to attend
6 international conferences out of fear of re-entry denial, and at least one international panelist has
7 withdrawn from a domestic conference. International students report that they are afraid to speak
8 up in class out of concern that they will be reported to ICE; others have asked to attend classes
9 virtually to reduce the possibility of contact with ICE; and some are so afraid that they have chosen
10 to withdraw from their classes altogether and relocate. Student groups have stopped hosting events
11 for fear that individual student members might be targeted. When events do go forward,
12 Massachusetts schools have seen a noticeable decline in international student attendance. Doctoral
13 students have requested that their dissertations be embargoed and shielded from public release out
14 of fear that their topic of study will be used as a basis for ideologically-based immigration action.
15 University of Washington officials report that this anxiety extends even to noncitizen medical
16 trainees who are concerned about their ability to continue training in the United States or obtain
17 future positions due to immigration changes. And in New York, State University of New York
18 (SUNY) institutions report a reduced willingness among international scholars to teach, engage in
19 public discourse at SUNY, or participate in any United States-based research. As visa revocations
20 continue across the Amici States every day, these chilling effects continue to multiply.
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27 ⁴³ See Tufts University, *University Declaration for Rümeysa Öztürk* (Apr. 2, 2025),
28 <https://www.tufts.edu/president/speeches-and-messages/04022025-university-declaration-for-rumeysa-ozturk>.

1 If international students and faculty are afraid to speak freely in the United States, they will
 2 not want to come here. The perception (and reality) of ideological targeting undermines the
 3 essential academic freedom that has historically made the United States a global beacon. Talented
 4 scholars will instead now view our country as an unpredictable and potentially hostile educational
 5 environment, driving them toward opportunities in peer countries with more inclusive policies.⁴⁴
 6 Indeed, a number of public colleges and universities in Amici States are already experiencing
 7 significant declines in enrollment interest from international students as compared to 2024. For
 8 example, one Massachusetts public university estimates—based on analysis undertaken since the
 9 challenged policy went into effect—that there will be a 21% drop in prospective international
 10 students for the 2025 to 2026 academic year. Another reports that completed applications for first-
 11 year international students are down 12%. SUNY institutions are reporting similarly significant
 12 declines in international applications, visa approvals, and continued enrollment by students. One
 13 SUNY campus is reporting a significant reduction in new and continuing international enrollments
 14 in its Master’s degree programs for the Fall 2025 semester as compared to the same date last year.
 15 These recruitment and retention challenges will result in a “brain drain” from the United States that
 16 will reverberate through our economy and society.⁴⁵ The exodus of current talent means a loss of
 17 future innovation. If allowed to continue, the Ideological Deportation Policy will create a legacy of
 18 international distrust that could take generations to repair.

19 Our schools themselves will be devastated. The loss of prospective students—and current
 20 students who abandon their studies—will severely weaken American universities’ global
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 25 ⁴⁴ See Liam Knox, *International Enrollment’s Precarious Moment*, Inside Higher Ed
 26 (Mar. 19, 2025), [https://www.insidehighered.com/news/global/international-students-](https://www.insidehighered.com/news/global/international-students-us/2025/03/19/colleges-fear-decline-international-student)
 27 [us/2025/03/19/colleges-fear-decline-international-student](https://www.insidehighered.com/news/global/international-students-us/2025/03/19/colleges-fear-decline-international-student).

28 ⁴⁵ Robin Hattersley, *Visa Revocations Leave Hundreds of International College Students in Limbo*, Campus Safety Magazine (Apr. 8, 2025), [https://www.campussafetymagazine.com/](https://www.campussafetymagazine.com/news/visa-revocations-leave-international-college-students-in-limbo/169053/)
[news/visa-revocations-leave-international-college-students-in-limbo/169053/](https://www.campussafetymagazine.com/news/visa-revocations-leave-international-college-students-in-limbo/169053/).

competitiveness, research capabilities, and financial stability. As discussed *supra*, international students contribute billions of dollars annually to the U.S. economy while bringing unique perspectives to the classroom that enrich the educational experience for everyone. Loss of these contributions will cause declining research output, diminished global rankings, and significant budget shortfalls that could trigger program cuts, reduce scholarships, and increase tuition (for native and international students alike).⁴⁶ The Ideological Deportation Policy will also jeopardize existing international collaborations, study abroad programs, and faculty exchange initiatives—as it already has—because partner institutions in other countries will hesitate to engage with a system where students or faculty fear speaking their minds. The long-term consequence will be catastrophic: the erosion of America’s position as a global leader in higher education.⁴⁷

B. If Not Enjoined, The Ideological Deportation Policy Will Continue To Harm Public Safety, Public Health, and Religious Worship in Amici States

The threat of ideological deportation extends beyond academia and free speech, impacting other vital public interests—such as public health, public safety, and free religious worship.

From a public safety perspective, the Ideological Deportation Policy will cause noncitizens to avoid cooperating with law enforcement if they fear deportation, hampering crime reporting,

⁴⁶ See Liam Knox, *Student Visa Dragnet Reaches Small Colleges*, Inside Higher Ed (Apr. 8, 2025), <https://www.insidehighered.com/news/global/international-students-us/2025/04/08/trump-admin-broadens-scope-student-visa> (“Many of the small colleges struggling to respond to student visa revocations have come to rely on international tuition dollars to support flagging revenue from shrinking domestic enrollment or declines in state funding.”).

⁴⁷ The short-term consequence has been chaos on campuses across Amici States. Specifically, institutions of higher education are expending significant time and effort attempting to advise and support noncitizen students and faculty. For example, colleges and universities are: advising individual students about possible changes to their academic plans due to actual or potential changes in visa status, reviewing students’ visa statuses more frequently than usual to determine which students may be at risk, attempting to understand the federal government’s evolving visa requirements, and responding to increased mental health concerns (e.g., anxiety) associated with uncertainty about individuals’ continued presence in the United States. Individual institutions have likely spent hundreds of personnel hours attempting to navigate these issues—time that is taken away from managing the regular operations of a campus including, but not limited to, instruction.

witness participation, and community policing.⁴⁸ From a public health perspective, Amici States depend on noncitizen healthcare workers who, like other immigrants, are forced to live in a climate of fear—nationwide over one million immigrants work in healthcare, including 40% of home health aides and 18% of nursing home staff.⁴⁹ Finally, the Ideological Deportation Policy undermines religious worship, as many religious beliefs have ideological components. Freedom of worship requires free speech: the right to articulate beliefs, share religious teachings, and conduct discussions. Religious freedom would be nullified if certain religious beliefs become grounds for deportation or exclusion. Noncitizens will hesitate to speak freely at (or even attend) religious ceremonies. Houses of worship—historically sanctuaries for honest expression—will become spaces of suspicion and fear, particularly affecting minority religious groups. When free expression is attacked, many aspects of the public interest suffer alongside it.

In sum, the Ideological Deportation Policy has echoed across nearly all domains in Amici States. This Court should enjoin a policy that will make our states less safe, less healthy, and less free.

IV. Conclusion

The stakes here are best summarized by the words of the District Court in its *AAUP* decision: “the judicial role is limited to safeguarding the rights of all persons lawfully present in this country. This includes the freedom of speech that allows those persons to understand each other

⁴⁸ Meg Anderson, *Police say ICE Tactics are eroding public trust in local law enforcement*, NPR (Mar. 30, 2025), <https://www.npr.org/2025/03/30/nx-s1-5304236/police-say-ice-tactics-are-eroding-public-trust-in-local-law-enforcement>.

⁴⁹ Nicole Lou, *Over 350K Health Workers Face Deportation Risk*, MedPageToday.com (Apr. 3, 2025), <https://www.medpagetoday.com/publichealthpolicy/workforce/114947>; Vanessa G. Sánchez & Daniel Chang, *Immigration crackdowns disrupt caregivers. Families are paying the price.*, NBC News (Apr. 3, 2025), <https://www.nbcnews.com/health/health-news/trump-immigration-crackdowns-threaten-health-caregiving-us-families-rcna199383>.

1 and to debate. ... We are not, and we must not become, a nation that imprisons and deports people
 2 because we are afraid of what they have to tell us.”⁵⁰

3 For the foregoing reasons, this Court should grant Plaintiffs’ motion for summary judgment
 4 and grant injunctive and declaratory relief.

5 Respectfully submitted,

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 28 ⁵⁰ *AAUP v. Rubio*, No. 1:25-cv-10685, Doc. 261 at 145 (Sept. 30, 2025) (D. Mass.).

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