
In the Supreme Court of the United States

KRISTI NOEM, SECRETARY OF HOMELAND
SECURITY, ET AL., *Applicants*,

v.

NATIONAL TPS ALLIANCE, ET AL., *Respondents*.

ON APPLICATION TO STAY THE JUDGMENT ISSUED BY THE UNITED
STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA
AND REQUEST FOR AN ADMINISTRATIVE STAY

**BRIEF OF ECONOMISTS AS *AMICI CURIAE*
IN SUPPORT OF RESPONDENTS**

VINCENT LEVY
Counsel of Record
COLIN A. MARK
TORRELL E. MILLS
HOLWELL SHUSTER
& GOLDBERG LLP
425 Lexington Avenue
14th Floor
New York, NY 10017
(646) 837-5120
vlevy@hsgllp.com

Counsel for Amici Curiae

September 29, 2025

TABLE OF CONTENTS

TABLE OF AUTHORITIES	ii
INTEREST OF AMICI CURIAE.....	1
INTRODUCTION AND SUMMARY OF ARGUMENT	1
ARGUMENT	3
I. Number of Venezuelan Nationals Affected.	3
II. The Economic Characteristics of Venezuelan TPS Beneficiaries.	5
III. Comparison to Other Inadmissible Migrants.	10
IV. Removing Venezuelan TPS Beneficiaries Will Harm Other Workers.	12
V. Removing Venezuelan TPS Beneficiaries Will Shrink Capital Income.....	16
VI. Removing All Venezuelan TPS Beneficiaries Would Decrease Federal Public Coffers by Over \$3 Billion Per Year over the Next Five Years.....	21
VII. Removing Venezuelan TPS Beneficiaries Will Cause an Increase in New Home Prices.....	22
VIII. Removing Venezuelan TPS Beneficiaries Will Not Meaningfully Reduce Crime.	23
CONCLUSION.....	26

TABLE OF AUTHORITIES

Cases

<i>Hollingsworth v. Perry</i> , 558 U.S. 183 (2010)	1
<i>Nat’l TPS All. v. Noem</i> , 2025 WL 1547628 (N.D. Cal. May 30, 2025)	4

Other Authorities

Bryan Baker & Robert Warren, U.S. Dep’t Homeland Sec., <i>Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2018–January 2022</i> (2024)	6
Jeffrey S. Passel & D’Vera Cohn, <i>Unauthorized Immigrant Totals Rise in 7 States, Fall in 14</i> , Pew Rsch. Ctr. (Nov. 18, 2014), https://www.pewresearch.org/race-and-ethnicity/2014/11/18/unauthorized-immigrant-totals-rise-in-7-states-fall-in-14/	5
Jill H. Wilson, Cong. Rsch. Serv., <i>Temporary Protected Status and Deferred Enforced Departure</i> 8–9 (Aug. 28, 2025), https://www.congress.gov/crs-product/RS20844	3, 4
<i>Labor Productivity by Major Sectors: Nonfarm Business, Business, Nonfinancial Corporate, and Manufacturing</i> , U.S. Bureau Lab. Stat. (Sep. 4, 2025), https://www.bls.gov/productivity/tables/home.htm	17
<i>MPI Methodology for Assigning Legal Status to Noncitizen Respondents in U.S. Census Bureau Survey Data</i> , Migration Pol’y Inst., https://www.migrationpolicy.org/about/mpi-methodology-assigning-legal-status-noncitizens-census-data	6
Troup Howard, Mengqi Wang & Dayin Zhang, <i>Cracking Down, Pricing Up: Housing Supply in the Wake of Mass Deportation</i> , SSRN (Nov. 7, 2024), http://dx.doi.org/10.2139/ssrn.4729511	23

U.S. Cong. Budget Off., <i>Effects of the Immigration Surge on the Federal Budget and the Economy</i> (July 2024), https://www.cbo.gov/publication/60569	19
U.S. Cong. Budget Off., <i>The Demographic Outlook: 2024 to 2054, The Demographic Outlook: 2024 to 2054</i> (Jan. 18, 2024), https://www.cbo.gov/publication/59697	7

Regulations

86 Fed. Reg. 13574 (Mar. 9, 2021).....	3
88 Fed. Reg. 68130 (Oct. 3, 2023).....	3
90 Fed. Reg. 5961 (Jan. 17, 2025)	3
90 Fed. Reg. 8805 (Feb. 3, 2025)	4
90 Fed. Reg. 43225 (Sep. 8, 2025).....	4
<i>Protecting the American People Against Invasion</i> § 16(b), Exec. Order No. 14,159 of Jan. 20, 2025, 90 Fed. Reg. 8443 (Jan. 29, 2025)	2
<i>Termination of the October 3, 2023 Designation of Venezuela for Temporary Protected Status</i> , 90 Fed. Reg. 9040 (Feb. 5, 2025).....	2, 4, 23

Scholarly Authorities

Annie Ro & Jennifer Van Hook, <i>Comparing the Effectiveness of Assignment Strategies for Estimating Likely Undocumented Status in Secondary Data Sources for Latino and Asian Immigrants</i> , 41 Population Rsch. & Pol’y Rev. 449 (2022)	6
Chloe N. East et al., <i>The Labor Market Effects of Immigration Enforcement</i> , 41 J. Lab. Econ. 957 (2023)	13, 14

Christian Gunadi, <i>On the Association Between Undocumented Immigration and Crime in the United States</i> , Oxford Econ. Papers 200 (2021).....	24
Christian Gunadi, <i>The Labour Market Effects of Venezuelan Refugee Crisis in the United States</i> , 83 Oxford Bull. Econ. & Stat. 1311 (2021)	12
Dipesh Shrestha & Genti Kostandini, <i>The Effects of Immigration Policy on Business Creation: A Study of the Effects of 287(g) Mandates</i> , 56 J. Agric. & Applied Econ. 429 (2024)	16
George J. Borjas & Hugh Cassidy, <i>The Wage Penalty to Undocumented Immigration</i> , 61 Lab. Econ. 101757 (2019)	5
Graham C. Ousey & Charis E. Kubrin, <i>Immigration and Crime: Assessing a Contentious Issue</i> , 1 Ann. Rev. Criminology 63 (2018).....	25
Hugh Cassidy & Tennecia Dacass, <i>Occupational Licensing and Immigrants</i> , 64 J. L. & Econ. 1 (2021)	6
Li Zhu, Matthew Hall & Jordan Matsudaira, <i>Immigration Enforcement and Employment in Large Firms: Evidence from County Participation in 287(g)</i> , <i>in Population Change and Public Policy</i> 277 (2020)	16
Maury Gittleman, Mark A. Klee & Morris M. Kleiner, <i>Analyzing the Labor Market Outcomes of Occupational Licensing</i> , 57 Indus. Rels. 57 (2018).....	6
Michael A. Clemens & Ethan G. Lewis, <i>The Effect of Low-Skill Immigration Restrictions on US Firms and Workers: Evidence from a Randomized Lottery</i> (Geo. Mason Univ. Dep't Econ., Working Paper No. 24-16, 2025).....	13

Michael A. Clemens, <i>The Economic and Fiscal Effects on the United States from Reduced Numbers of Refugees and Asylum Seekers</i> , 38 Oxford Rev. Econ. Pol'y 449 (2022)	17
Michael A. Clemens, <i>The Fiscal Effect of Immigration: Reducing Bias in Influential Estimates</i> , IZA Inst. Lab. Econ., Sep. 2022	18
Morris M. Kleiner & Evan J. Soltas, <i>A Welfare Analysis of Occupational Licensing in U.S. States</i> , 90 Rev. Econ. Stud. 2481 (2023)	6
Thomas J. Miles & Adam B. Cox, <i>Does Immigration Enforcement Reduce Crime? Evidence from Secure Communities</i> , 57 J. L. & Econ. 937 (2014)	24

Statutes

5 U.S.C. § 804	2, 20
----------------------	-------

INTEREST OF AMICI CURIAE

Amici curiae are economists of national standing who study the field of immigration and its impact on the American economy.¹ Their research has been widely cited in academic literature and has been relied upon in federal court as expert opinions. Policymakers—including the White House, the National Security Council, the Department of Homeland Security, and foreign governments—have likewise drawn on their expertise in shaping immigration regulation. *Amici curiae* have a strong interest in ensuring that immigration regulation in the United States rests on the best available scientific understanding of its impacts.

INTRODUCTION AND SUMMARY OF ARGUMENT

This case comes before the Court on an application to stay a final judgment. In “close cases,” this Court will grant a stay only after “balanc[ing] the equities and weigh[ing] the relative harms.” *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010) (per curiam). *Amici curiae* submit this brief to assist the Court in weighing those considerations.

Over 605,000 Venezuelan nationals in the United States will become subject to removal if their present Temporary Protected Status (TPS) is terminated. This brief

¹ Pursuant to Rule 37.6, *Amici Curiae* affirm that no counsel for any party authored this brief in whole or in part, and no counsel or party made a monetary contribution intended to fund the preparation or submission of this brief. No person other than *Amici Curiae* or their counsel made a monetary contribution to its preparation or submission. A complete list of *Amici Curiae* is set forth in the appendix to this brief. University affiliations are provided for identification purposes only.

summarizes the best available data, peer-reviewed research, and federal government analyses regarding the economic costs of those removals.

The evidence demonstrates that the economic costs will indeed be substantial. The national economy would shed over 200,000 domestic jobs for a period exceeding four years because the absence of Venezuelan workers both reduces U.S. consumer demand and curtails economic productivity that generates U.S. employment. *Infra*, Section IV. Gross Domestic Product (the aggregate value-added for the U.S. economy as a whole), would decline by more than \$12 billion in each year on an ongoing basis—a major macroeconomic impact in the sense quantitatively defined by the Congressional Review Act (5 U.S.C. § 804). *Infra*, Sections IV–V. And federal tax revenue (net of expenses) would fall by over \$3 billion annually, reflecting contraction in the overall economy rather than any direct loss of tax revenue collected directly from the migrants themselves. *Infra*, Section VI.

The Government contends that ending TPS for Venezuelan nationals would enhance “public safety” as a national interest. See Gov’t Stay App. 24 (citing *Protecting the American People Against Invasion* § 16(b), Exec. Order No. 14,159 of Jan. 20, 2025, 90 Fed. Reg. 8443, 8446 (Jan. 29, 2025)). To the extent that the Government grounds that rationale in public-safety concerns—defined in the Federal Register as the “potential nexus to criminal gang membership,” *Termination of the October 3, 2023 Designation of Venezuela for Temporary Protected Status*, 90 Fed. Reg. 9040, 9042 (Feb. 5, 2025)—the empirical record points the opposite way. Evidence from past mass

deportation policy on crime indicates that removals of this scale have no meaningful effect on rates of violent or property crime. *Infra*, Section VIII. For these reasons, termination of Venezuela’s TPS status would cause major harms to public economic welfare at a time when U.S. unemployment is rising and economic growth is slowing.

ARGUMENT

I. Number of Venezuelan Nationals Affected.

Approximately 605,015 Venezuelan nationals covered by Temporary Protected Status (TPS) face the risk of removal. This brief uses the best available economic evidence to conservatively estimate the economic impacts of terminating TPS for Venezuelan nationals in the United States under the 2021 TPS designation (86 Fed. Reg. 13574 (Mar. 9, 2021)) and 2023 TPS designation (88 Fed. Reg. 68130 (Oct. 3, 2023)). The first step is to estimate the number of Venezuelan nationals affected.

When the Department of Homeland Security (DHS) last published an official estimate, it reported “approximately 607,000 current Venezuelan TPS beneficiaries[.]” 90 Fed. Reg. 5961, 5966 (Jan. 17, 2025). As of August 28, 2025, DHS reported to the Congressional Research Service that the number of Venezuelan nationals “approved” or “covered” by TPS was 605,015.² Jill H. Wilson, Cong. Rsch. Serv., *Temporary*

² This comprises 252,825 Venezuelan nationals covered by the 2021 designation (available only to those who arrived before March 8, 2021, and have since resided continuously in the United States) and 352,190 Venezuelan nationals covered by the 2023 designation (available only to those who arrived before July 31, 2023, have since resided continuously in the United States, and were not covered by the 2021 designation).

Protected Status and Deferred Enforced Departure 8–9, tbl. 1 (Aug. 28, 2025), <https://www.congress.gov/crs-product/RS20844>. This analysis therefore uses 605,015 Venezuelan nationals currently covered by TPS because it is the most recent figure made publicly available.³

DHS has moved to terminate TPS for both the 2021 and 2023 groups. See 90 Fed. Reg. 8805 (Feb. 3, 2025); 90 Fed. Reg. 9040 (Feb. 5, 2025). If these actions by DHS take effect, almost all Venezuelan nationals covered by TPS will become removable by November 7, 2025, and all will become removable by October 2, 2026.⁴ This analysis considers the impact of actual removal of those Venezuelan nationals from the United States.

³ On February 5, 2025, DHS stated that “approximately 348,202 aliens are eligible for TPS under the 2023 Venezuela designation” (90 Fed. Reg. at 9043), but this analysis uses the more recent, August 28, 2025, number reported and sourced to DHS. See Wilson, *supra*, at 8–9, tbl. 1.

⁴ Venezuelans covered by the 2021 designation are, in the latest DHS decision, set to lose TPS on November 7, 2025 (90 Fed. Reg. 43225, 43231 (Sep. 8, 2025)), and will do so in the event of a stay. Venezuelans covered by the 2023 designation would already have lost TPS prior to the date of writing (90 Fed. Reg. at 8805), if not for ongoing legal challenges. Therefore, a court ruling before November 7, 2025, that upheld DHS’s February 2025 actions could cause them to lose it immediately. A relatively small number of Venezuelans would retain TPS until October 2, 2026; DHS puts this number at approximately 5,000, see *Nat’l TPS All. v. Noem* 2025 WL 1547628, at *5 n.4 (N.D. Cal. May 30, 2025). This represents less than one percent of Venezuelans with TPS.

II. The Economic Characteristics of Venezuelan TPS Beneficiaries.

Venezuelan TPS holders contribute billions in annual labor income across multiple sectors. A rigorous estimate of their economic characteristics is essential to assessing the nationwide costs of their removal.

Estimating the economic effects of their removal requires the best available estimates of the migrants' economic characteristics. The best source for this information is the anonymized, individual-level Public Use Microdata Samples (PUMS) of the U.S. Census Bureau's American Community Survey (ACS). The data includes representative 1% samples of the entire resident population of the United States in each of the years 2019–2023, that is, 15,912,393 people resident in the United States. These samples have been carefully designed to be representative of the entire population, as well as the native and foreign-born populations, when adjusted with quantitative weights calculated by the Census Bureau to reflect differences in coverage between the sample and the full population.

This brief identifies and analyzes the typical characteristics of inadmissible Venezuelan nationals using a long-established and widely accepted method by which economists, demographers, and other social scientists impute likely immigration status to each individual.⁵ Using probability, this method imputes likely status for

⁵ Jeffrey S. Passel & D'Vera Cohn, *Unauthorized Immigrant Totals Rise in 7 States, Fall in 14*, Pew Rsch. Ctr. (Nov. 18, 2014), <https://www.pewresearch.org/race-and-ethnicity/2014/11/18/unauthorized-immigrant-totals-rise-in-7-states-fall-in-14/>; George J. Borjas & Hugh Cassidy, *The Wage Penalty to Undocumented Immigration*,

foreign-born individuals based on data about country of birth, citizenship, receipt of public benefits, veteran status, employment in public agencies or the military, cohabitation with a U.S. citizen spouse, recent arrival from a country of frequent refugee resettlement, and work in an occupation that requires licensing.

Estimates resulting from this method are standard in peer-reviewed academic research and have been extensively validated by checking against other sources of information.⁶ These are then adjusted for the higher rate of nonresponse to the ACS

61 Lab. Econ. 101757 (2019); *MPI Methodology for Assigning Legal Status to Noncitizen Respondents in U.S. Census Bureau Survey Data*, Migration Pol’y Inst., <https://www.migrationpolicy.org/about/mpi-methodology-assigning-legal-status-noncitizens-census-data> (last visited Sep. 29, 2025); Annie Ro & Jennifer Van Hook, *Comparing the Effectiveness of Assignment Strategies for Estimating Likely Undocumented Status in Secondary Data Sources for Latino and Asian Immigrants*, 41 Population Rsch. & Pol’y Rev. 449 (2022). Major occupations requiring licensing are given by Maury Gittleman, Mark A. Klee & Morris M. Kleiner, *Analyzing the Labor Market Outcomes of Occupational Licensing*, 57 Indus. Rels. 57 (2018), whose method is based on de facto self-reported licensing rates in the Current Population Survey and is widely accepted, *see, e.g.*, Hugh Cassidy & Tennecia Dacass, *Occupational Licensing and Immigrants*, 64 J. L. & Econ. 1 (2021); Morris M. Kleiner & Evan J. Soltas, *A Welfare Analysis of Occupational Licensing in U.S. States*, 90 Rev. Econ. Stud. 2481 (2023). These occupations are: architects, audiologists, barbers, bus drivers, chiropractors, dental hygienists, dentists, driver/sales workers and truck drivers, emergency medical technicians and paramedics, funeral directors, hairdressers, hairstylists, and cosmetologists, insurance sales agents, lawyers, licensed practical and licensed vocational nurses, occupational therapists, optometrists, pest control workers, pharmacists, physical therapists, physician assistants, physicians and surgeons, podiatrists, real estate brokers and sales agents, registered nurses, respiratory therapists, taxi drivers and chauffeurs, teachers, veterinarians, water and liquid waste treatment plant and system operators.

⁶ *E.g.*, Bryan Baker & Robert Warren, U.S. Dep’t Homeland Sec., *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2018–January 2022* (2024).

among immigrants, following a method used by the U.S. Congressional Budget Office;⁷ and adjusted for the U.S. Census Bureau’s best and most recent estimates of the degree to which the ACS PUMS undercounts specifically the immigrants who have arrived since 2021.⁸

This analysis—summarized in Table 1—reveals that 40% of all inadmissible Venezuelan-born migrants who arrived in 2022 or 2023 earned income from employment in the previous year.⁹ The average annual wage income of those workers is \$23,868. Of the likely-inadmissible Venezuelan migrants who arrived in or before 2021, 56% earned income from employment in the previous year and the average annual wage income of those workers was \$37,777. Likely-inadmissible Venezuelan migrants are at least as educated, and slightly less likely to be employed, than likely-inadmissible non-Venezuelans.

As implied in Table 1, removing 352,190 inadmissible Venezuelans who immigrated between 2021 and 2023 would reduce the aggregate economic product by \$3.36 billion of labor, per year: that is, 352,190 removals, times 40% employment, times

⁷ *The Demographic Outlook: 2024 to 2054* (Jan. 18, 2024), U.S. Cong. Budget Off., <https://www.cbo.gov/publication/59697>.

⁸ Mark Gross et al., *Census Bureau Improves Methodology to Better Estimate Increase in Net International Migration* (Dec. 19, 2024), <https://www.census.gov/newsroom/blogs/random-samplings/2024/12/international-migration-population-estimates.html>.

⁹ Margins of error for figures are reported in the corresponding tables, here Table 1.

Table 1: Traits of recently-arrived, likely-inadmissible Venezuelan-born migrants in the United States compared to other inadmissible migrants and natives

<i>Status:</i>	Inadmissible		Inadmissible		Inadmissible		Inadmissible		Native	
<i>Birth:</i>	Venezuela		Non-Venez.		Venezuela		Non-Venez.		US	
<i>Arrival:</i>	2022–2023		2022–2023		2021 or before		2021 or before		—	
<i>Average:</i>	<i>err.</i>		<i>err.</i>		<i>err.</i>		<i>err.</i>		<i>err.</i>	
Age	%	29.3	±1.2	28.2	%	35.3	±0.4	37.2	%	38.3
Years schooling		12.6	±0.3	12.6		14.1	±0.1	11.4		13.7
Working age/cap.		0.74	±0.03	0.72		0.75	±0.01	0.87		0.60
Employment/cap.		0.40	±0.04	0.42		0.56	±0.01	0.63		0.49
Wage income \$/yr		23,868	±5,690	38,589		37,777	±1,362	47,192		56,096
								±265		±53

Note: ‘err.’ is the statistical margin of error with 95% confidence. Working age means 18–65. Years of schooling is for working-age only. ‘Working age/cap.’ means the number of working age as a fraction of the overall subpopulation of any age. ‘Employment/cap.’ means the number of people who earned labor income in the past 12 months, as a fraction of the overall subpopulation of any age. ‘Wage income \$/yr’ is average dollars of income from wages, salaries, commissions, cash bonuses, tips, and other money income received from an employer, in the previous 12 months, among those who received any such income. Source: IPUMS USA American Community Survey pooled 2019–2023.

\$23,868 in annual income per worker.¹⁰ Similarly, removing 252,825 inadmissible Venezuelans who arrived prior to 2021 would reduce the aggregate economic product by \$5.35 billion of labor per year (252,825 removals, times 56% employment, times \$37,777 in annual income per worker). Again, this includes only labor force participants who are currently employed, and excludes all non-working dependents.¹¹

Together, these calculations imply a conservative estimate of one part of the decline in U.S. economic product that would arise from removing the roughly 605,000 Venezuelan nationals currently covered by TPS. They imply that the portion of U.S. value-added allocated to these Venezuelan nationals as labor income exceeds \$8 billion per year, for both the 2021 designees and 2023 designees combined. That is, removing Venezuelan nationals covered by TPS would cause a loss to the overall U.S. economy of the portion of their economic product that is currently allocated to them as labor income: over \$8 billion per year, a figure that does not include the loss of other portions of their economic product (discussed below).¹²

¹⁰ This calculation only includes labor force participants who are currently employed, and excludes all non-working dependents. This calculation reasonably assumes that inadmissible Venezuelan migrants who arrived between March 2021 and July 2023 (covered by the 2023 TPS designation) are economically similar to those who arrived between January 2022 and December 2023 (identified in the ACS).

¹¹ This calculation reasonably assumes that inadmissible Venezuelan migrants who arrived in any year or month prior to March 8, 2021 (covered by the 2021 TPS designation) are economically similar to those who arrived in any year or month prior to 2021 or at some point during 2021 (identified in the ACS).

¹² This estimate is conservatively low in that it assumes that Venezuelan respondents to the ACS reporting work and earnings in or before 2023 did not advance, in

III. Comparison to Other Inadmissible Migrants.

This population of inadmissible Venezuelan migrants closely resembles the broader population of inadmissible immigrants. That comparability makes it appropriate to draw on the established body of economic studies concerning removal of inadmissible immigrants as a whole, rather than limiting the analysis to targeted studies of recent Venezuelan arrivals.

As Table 1 shows, inadmissible Venezuelan migrants who arrived in the recent migrant surge are similar in skill and employment rates to their non-Venezuelan counterparts. They also exhibit as broadly similar to non-Venezuelan recent migrants in their distribution across sectors. Table 2, below, shows the industry distribution of inadmissible, private-sector Venezuelan migrant workers and non-Venezuelan migrant workers in the same ACS data used for Table 1.¹³

their labor force participation or in earnings per year, by 2025. Venezuelans who remain in the United States for longer periods typically experience greater economic integration, labor force participation, and earnings, as Table 1 demonstrates when comparing those who had arrived by 2021 to those who arrived later.

¹³ The industry groups in the table represent the broadest industry disaggregation in the standard North American Industry Classification System for private-sector establishments (omitting government and military). Industry is a characteristic of a worker's employer, not the worker's occupation; for example, a person who is employed by a scientific research laboratory to do janitorial work is classified as working in the "Professional, Scientific" sector, though the worker is not a scientist.

Table 2: Industry distribution of recently-arrived, likely inadmissible Venezuelan workers compared to non-Venezuelan inadmissible migrant workers and natives

<i>Status:</i>	Inadmissible		Inadmissible		Native	
<i>Birth:</i>	Venezuela		Other non-US		US	
<i>Arrival:</i>	2022–2023		2022–2023		—	
<i>Industry:</i>	%	<i>err.</i>	%	<i>err.</i>	%	<i>err.</i>
Hospitality, Recreation	21.1	± 4.8	14.3	± 0.8	10.4	$\pm < 0.1$
Construction	16.0	± 4.3	13.8	± 0.8	6.2	$\pm < 0.1$
Professional, Scientific	12.9	± 3.9	14.1	± 0.8	12.1	$\pm < 0.1$
Manufacturing	11.8	± 3.8	11.3	± 0.7	10.4	$\pm < 0.1$
Retail Trade	9.7	± 3.5	7.7	± 0.6	12.4	$\pm < 0.1$
Health Care, Education	7.4	± 3.1	15.1	± 0.8	25.6	$\pm < 0.1$
Other	6.9	± 3.0	6.1	± 0.5	4.3	$\pm < 0.1$
Transportation, Utilities	6.4	± 2.9	3.4	± 0.4	6.0	$\pm < 0.1$
Wholesale Trade	3.5	± 2.1	2.0	± 0.3	2.4	$\pm < 0.1$
Information	2.3	± 1.8	1.4	± 0.3	2.0	$\pm < 0.1$
Finance, Real Estate	1.2	± 1.3	3.2	± 0.4	6.9	$\pm < 0.1$
Agriculture	0.7	± 0.9	7.5	± 0.6	1.4	$\pm < 0.1$

Note: ‘err.’ is the statistical margin of error with 95% confidence. Working age means 18–65. Years of schooling is for working-age only. Source: IPUMS USA American Community Survey pooled 2019–2023.

Table 2 confirms that recent inadmissible Venezuelan migrant workers, much like their non-Venezuelan counterparts, are broadly distributed across industries. Venezuelans are about seven percentage points more likely to work in the hospitality and recreation sector (e.g. restaurants, hotels, food delivery) than their non-Venezuelan counterparts, but seven percentage points less likely to work in agriculture and eight percentage points less likely to work in health care.

With those exceptions, no marked difference, if any, exists in the Venezuelans’ distribution across sectors relative to non-Venezuelans. Further, Table 2 offers no

evidence that recent inadmissible Venezuelan migrants are employed in systematically less productive sectors than their non-Venezuelan counterparts.

In sum, the evidence in Tables 1 and 2 suggests that existing research on the economic effects of removing recent inadmissible migrant workers in general is informative about the economic effects of removing Venezuelans specifically.

IV. Removing Venezuelan TPS Beneficiaries Will Harm Other Workers.

Removing Venezuelan TPS beneficiaries will also harm other workers, including by stripping more than \$8 billion in labor income from the U.S. economy each year. Contrary to the Secretary’s arguments, the removal of Venezuelan TPS beneficiaries will harm other U.S. workers. The key inquiry is whether, upon the TPS beneficiaries’ removal, U.S. nationals will replace lost labor so as to mitigate the blow to the economy.

The best evidence suggests that U.S. nationals will not replace lost labor. Only one peer-reviewed study in an academic economics journal has directly evaluated the effects of migrant workers recently fleeing Venezuela on the wages and employment of U.S. nationals. It uses modern and widely accepted methods to test whether U.S. nationals in cities that became important destinations for the Venezuelan exodus experienced reduced employment or wages, relative to those in otherwise similar cities. It finds a “lack of evidence that the labor market outcomes of U.S.-born individuals were adversely affected by the inflows.” Christian Gunadi, *The Labour Market Effects of Venezuelan Refugee Crisis in the United States*, 83 Oxford Bull. Econ. & Stat. 1311,

1333 (2021). This is consistent with the most recent peer-reviewed research on policy changes that restrict U.S. firms' ability to hire low-skill foreign workers in general (in the non-farm sector): the evidence does not show systematic displacement of low-skill U.S.-workers by low-skill immigrants. See generally Michael A. Clemens & Ethan G. Lewis, *The Effect of Low-Skill Immigration Restrictions on US Firms and Workers: Evidence from a Randomized Lottery* (Geo. Mason Univ. Dep't Econ., Working Paper No. 24-16, 2025).

The most rigorous evidence that economists have on the labor-market effects of removing low-skill immigrant workers in general—across all nationalities—comes from a recent study published in the highly selective leading academic journal for labor economists, the *Journal of Labor Economics*. Chloe N. East et al., *The Labor Market Effects of Immigration Enforcement*, 41 J. Lab. Econ. 957 (2023). The authors study the effects of a large deportation program conducted primarily under the Obama Administration known as Secure Communities, from 2008–2014. Because counties' start dates for Secure Communities were staggered, the study was able to isolate the effect of an uptick in deportations by comparing otherwise similar counties that began the program at different times.

Not only does evidence not show that U.S. labor replaces lost migrant labor, but the evidence actually shows that a large and sudden increase in deportations causes a substantial *reduction* in employment of U.S. nationals. The principal mechanisms for this effect were that the spike in deportation deterred the formation of new

businesses—mostly small businesses—and encouraged the exit of existing businesses. The result was fewer employment opportunities for U.S. workers overall. That reduction in part came from lower U.S. employment alongside the removed immigrants within the same business. And some came from ripple effects across local economies: lost jobs in the businesses that would have provided the other lost businesses with tools or accounting services, in the restaurants that would have served the missing entrepreneurs, and the like.

Academic studies were also able to quantify U.S. job loss due to removals. Thus, a study published in the *Journal of Labor Economics* estimates that every inadmissible worker removed caused the elimination of 0.77 jobs held by U.S. nationals, for at least four years after mass deportation began in the average county, considering all ripple effects across all sectors in local economies.¹⁴

As discussed, it is appropriate to extrapolate this study to the specific case of removal of recent Venezuelan arrivals; we therefore estimate that every removal contemplated here would cause the elimination of 0.77 jobs held by U.S. nationals. Accordingly, removing all Venezuelan 2023 TPS beneficiaries will result in the loss of

¹⁴ East et al., *supra* Section IV., tbls. 3–4. Removals of low-skill immigrant workers caused a reduction in low-skill employed immigrant workers of 0.387 people per 100 in the average local economy, and a reduction of 0.300 employed native-born workers per 100, thus $0.300 \div 0.387 = 0.770$. The timescale of the analysis extends only to four years after the arrival of Secure Communities in a given county. Thus the effect may persist beyond four years, or may not, but such long term persistence is not investigated by the study.

108,475 jobs for U.S. nationals four years later: (a) 352,190 beneficiaries of the 2023 designation who would be removed; times (b) the employed-worker-to-population ratio of 0.4 from Table 1, to get the number of employed immigrant workers removed; times (c) 0.77 U.S. nationals' jobs. Likewise, removing all Venezuelan 2021 TPS beneficiaries will result in the loss of 109,018 jobs for U.S. nationals four years later: (a) 252,825 beneficiaries of the 2021 designation who would be removed; times (b) the employed-worker-to-population ratio of 0.56 from Table 1; times (c) 0.77 U.S. nationals' jobs. In total, removing the 605,000 Venezuelan TPS beneficiaries from the United States would eliminate over 200,000 Americans' jobs, for four years or more.

This research does not necessarily imply that “U.S. workers won’t do the jobs” that removed immigrant workers had been doing. Rather, the evidence is consistent with the conclusion that *some* jobs will go from removed immigrants to U.S. workers (what economists call the “substitution” effect) and yet *still more* U.S. jobs would be lost in total, because business activity is reduced (the “scale” effect). For example, a restaurant that closes due to deportations (or is never opened) not only loses its immigrant cooks but also eliminates jobs for U.S. cooks and waitstaff within the establishment, and U.S. bookkeepers and supply-delivery truckers and child-care workers outside the establishment.

The effect of immigrant removals discussed above is not particular to the Secure Communities campaign. Other peer-reviewed studies, by different research teams, have replicated this result for a different deportation program known as 287(g). That

program, like Secured Communities, resulted in spikes in removals, but involves material differences from Secured Communities. Two peer-reviewed research papers find that spikes in deportation of low-skill workers under the 287(g) program also caused reductions in U.S. nationals' employment, and that a key mechanism for this effect was the deterrence of new business formation. Li Zhu, Matthew Hall & Jordan Matsudaira, *Immigration Enforcement and Employment in Large Firms: Evidence from County Participation in 287(g)*, in *Population Change and Public Policy* 277 (2020); Dipesh Shrestha & Genti Kostandini, *The Effects of Immigration Policy on Business Creation: A Study of the Effects of 287(g) Mandates*, 56 *J. Agric. & Applied Econ.* 429 (2024). These studies bolster the conclusion that it is removal of low-skill workers itself, and not quirks of the removal program, that causes the concomitant reduction in U.S. nationals' employment.

The research summarized above is the highest-quality peer-reviewed research available. It is not one of many competing strands of a controversy within the discipline of economics; it reflects the state of knowledge among leading, respected labor economists. And it shows substantial job loss for U.S. nationals.

V. Removing Venezuelan TPS Beneficiaries Will Shrink Capital Income.

The labor of Venezuelan TPS beneficiaries generates not only billions in wages but also substantial capital income for U.S. nationals. The final step in assessing macroeconomic impact is estimating Venezuelan TPS beneficiary workers' impact on owners of capital. Owners of capital include, but are not limited to, retired Americans

and owners of shares in firms, the large majority of whom are U.S. nationals. That analysis shows a loss of \$12 billion per year.

The Bureau of Labor Statistics estimates that during 2022 to 2023, 32.8% of all value added in the United States was allocated to owners of capital, not workers, net of depreciation. *Labor Productivity by Major Sectors: Nonfarm Business, Business, Nonfinancial Corporate, and Manufacturing*, U.S. Bureau Lab. Stat. (Sep. 4, 2025), <https://www.bls.gov/productivity/tables/home.htm>. This information can be used to place a conservative lower bound on the capital income caused by immigrant employment, using a straightforward method from a peer-reviewed academic paper recently published in the *Oxford Review of Economic Policy*. Michael A. Clemens, *The Economic and Fiscal Effects on the United States from Reduced Numbers of Refugees and Asylum Seekers*, 38 *Oxford Rev. Econ. Pol'y* 449 (2022). A capital share of 32.8% in national income implies that for every one dollar of labor income in the U.S. economy during this period, there were 0.487 additional dollars of capital income.¹⁵ This calculation is conservative because it excludes the value to workers of employee benefits, which would be separate from and additional to the cash earnings reported by migrants in the ACS data in Table 1.

This 0.487 figure is a conservatively low estimate of the dollars of capital income caused by the work of immigrants doing low-skill work in particular. This is because

¹⁵ That is, 0.487 divided by $(1.000+0.487) = 32.8\%$.

the labor economics literature generally finds that foreign-born workers, as well as low-skill workers, have less bargaining power than their native-born, high-skill counterparts in their wage negotiations with employers. That is, immigrants doing low-skill work tend to receive as wages a lower share of the additional firm revenue caused by their labor, relative to the average U.S. worker. This research literature is reviewed in Michael A. Clemens, *The Fiscal Effect of Immigration: Reducing Bias in Influential Estimates*, IZA Inst. Lab. Econ., Sep. 2022. No peer-reviewed research in mainstream economics suggests that low-skill immigrant workers in general, or recently-arrived Venezuelan workers specifically, have the power to negotiate a systematically larger share of firm revenue for themselves than the share received by average U.S. workers. In other words, the amount of capital income in the U.S. economy per dollar of wage income by immigrants doing low skill work is some quantity *greater than* 0.487.

A lower bound on the contribution to national income from Venezuelan TPS beneficiaries' low-skill employment can therefore be obtained by multiplying their collective labor income (over \$8 billion per year) by a factor of 1.487, to include both the portion of their value-added that is allocated to Venezuelan labor (1.000) and the portion that is allocated to (almost exclusively American) capital (0.487). This calculation indicates that removal of all Venezuelan nationals covered by TPS would reduce the size of the U.S. economy by over \$12 billion per year. And that figure includes

only the GDP effect from the loss of Venezuelan labor; it does not include the effect of lost jobs held by U.S. nationals, discussed above.

This \$12 billion estimated loss to GDP is consistent with estimates by federal government analysts using alternative methods. In 2024, the U.S. Congressional Budget Office (CBO) used its extensively tested model of the U.S. macroeconomy to simulate how the arrival of 8 million irregular migrants (workers and non-workers) via the Southwest border between 2020 and 2025 would affect the U.S. GDP. See U.S. Cong. Budget Off., *Effects of the Immigration Surge on the Federal Budget and the Economy* (July 2024), <https://www.cbo.gov/publication/60569>. Their model, called a “dynamic computable general equilibrium” model, simulates the complex effects of this shock on capital markets, technological change, business investment, and so on, and includes ripple effects on U.S. workers and U.S. owners of capital. Notably, it includes the economic stimulus effects from recent inadmissible immigrants’ consumption, which raises aggregate demand for workers in general.

CBO found that this migrant surge caused an annual increase in U.S. GDP of \$357 billion per year. This represents an increase of \$44,625 per immigrant (including workers and non-workers) per year, from both dollars of additional income that flow to immigrants, and dollars of additional income to all other U.S. residents caused by an expanded economy. The flipside of CBO’s calculations is that *removing* each of those recently-arrived, inadmissible migrants would *reduce* GDP by that same \$44,625 per year in 2025.

The impact on GDP of removing recent Venezuelan TPS recipients can be derived from this \$44,625 figure applicable to the average irregular immigrant. Per the data in Table 1, Venezuelan beneficiaries of the 2023 TPS designation earn 62% of the earnings of non-Venezuelan irregular immigrants arriving in the same years, and Venezuelan beneficiaries of the 2021 TPS designation earn 80% of the earnings of non-Venezuelan irregular immigrants arriving in the same years. Adjusting for these differences, the GDP effect of removing one Venezuelan covered by the 2023 TPS designation would be \$27,601, and the GDP effect of removing one Venezuelan covered by the 2021 TPS designation would be \$35,722. Multiplying these estimates by the number of Venezuelan TPS beneficiaries in each group yields a total decline in GDP, caused by their removal, of over \$18 billion per year. That estimated GDP decline, implied by the CBO’s sophisticated model of the entire U.S. economy—and derived independently of the analysis presented in this brief—is several billion dollars per year larger than the above estimate of over \$12 billion per year, corroborating that the above estimate is conservative.

A GDP loss of over \$12 billion per year is a major impact, in one specific sense. There is no formal definition in economics for what constitutes a “major” macroeconomic impact from a given policy. But federal law defines a “major” impact on the U.S. economy due to rule-making in the Executive Branch as any “adverse effect” on “the economy” exceeding \$100 million per year. 5 U.S.C. § 804. The estimated more

than \$12 billion dollar impact of removing Venezuelan TPS beneficiaries exceeds this threshold for “major” macroeconomic impact by a multiple of more than 120.

VI. Removing All Venezuelan TPS Beneficiaries Would Decrease Federal Public Cooffers by Over \$3 Billion Per Year over the Next Five Years.

Removing Venezuelan TPS beneficiaries will not only reduce the U.S. GDP but also will specifically cost the federal fisc in lost tax revenue. Again the loss will be substantial.

The same study by the U.S. Congressional Budget Office estimates the effect on the federal budget deficit from the migration surge. CBO estimated the impact on federal public coffers from the continuing presence of recently-arrived irregular migrants, which CBO calls “Other Foreign Nationals,” in the U.S. economy from 2024 through and including 2028. CBO found that 8 million of these surge migrants, arriving 2021 through 2025, reduce the federal deficit by \$296 billion over the years 2024–28. In other words, their presence *increases* federal public coffers by \$74 billion per year, on average, over the period 2024 to 2028. Equivalently, each migrant (workers and nonworkers) causes an average increase in federal public coffers of \$9,250 per year.

Much of the tax impact of irregular migration would come not from revenue provided directly by migrants, but revenue collected from the expanded overall economy that migrants’ labor causes. The impact encompasses not only (1) the sales taxes, property taxes (often paid indirectly via rent), payroll taxes, income taxes, federal excise taxes, and other taxes paid directly by migrants; but also (2) the increased

taxes of all kinds paid by individuals and firms across the U.S. economy due to ripple effects of the increased economic activity created by inadmissible immigrants' labor.

Adjusting these numbers to reflect that the earnings of Venezuelan inadmissible migrants are lower on average than those of non-Venezuelan inadmissible migrants (Table 1), each Venezuelan covered by the 2023 TPS designation adds \$5,721 to the federal public coffers, and each Venezuelan covered by the 2021 TPS designation adds \$7,405. Multiplying those figures by the number of Venezuelans under each designation implies that removing all Venezuelans currently covered by TPS would cause a loss to federal public coffers of well over \$3 billion per year over the next five years. The CBO analysis implies that those losses would continue into the future.¹⁶

VII. Removing Venezuelan TPS Beneficiaries Will Cause an Increase in New Home Prices.

The contemplated removals will also lead to an increase in new-home prices. A recent study from economists at the University of Utah's Eccles School of Business studies the impact of increased deportations on the prices of new homes. The study has not yet been accepted in a peer-reviewed academic journal. But it uses a research design identical to the one reviewed and accepted by the *Journal of Labor Economics* in the above study of Secure Communities, focusing not on generalized employment

¹⁶ This estimate reflects the amount that would be lost to U.S. federal taxpayers at constant levels of federal expenditure, or the amount that would be lost to government operations at constant levels of taxation.

effects but specifically on effects in the construction sector.¹⁷ It finds that deportations under Secure Communities caused lower employment of U.S. workers in construction, caused 1,994 fewer new home completions per state per year, and caused an 18% increase in new home prices. These findings suggest that the removed migrant workers had been performing tasks crucial to home construction (increasing the housing supply) but were not themselves important demanders of newly-constructed homes. Their removal thus represented a classic supply shock: unchanged demand then had to chase reduced supply, which normally tends to drive up prices.

This effect would likely be magnified for the removal of Venezuelan workers in particular, given that they are somewhat more concentrated in the construction sector relative to non-Venezuelan migrants (Table 2).

VIII. Removing Venezuelan TPS Beneficiaries Will Not Meaningfully Reduce Crime.

A key stated goal of the revocation of TPS for Venezuela is to reduce violent crime: the *Federal Register* announcement of TPS revocation claims that TPS has prevented the deportation of violent criminals including members of Venezuelan criminal gangs responsible for “violence and terror” such as police shootings and kidnapping. See 90 Fed. Reg. at 9042. A decline in violent crime would likely yield economic benefits offsetting the above economic costs in some measure.

¹⁷ Troup Howard, Mengqi Wang & Dayin Zhang, *Cracking Down, Pricing Up: Housing Supply in the Wake of Mass Deportation*, SSRN (Nov. 7, 2024), <http://dx.doi.org/10.2139/ssrn.4729511>.

However, the best economic research counsels that mass removal of Venezuelan TPS beneficiaries will have no such effect. A study in the leading peer-reviewed academic journal *The Journal of Law and Economics* used the same rigorous and transparent research design described above to estimate the impact on crime due to mass deportation policy under Secure Communities. Thomas J. Miles & Adam B. Cox, *Does Immigration Enforcement Reduce Crime? Evidence from Secure Communities*, 57 J. L. & Econ. 937 (2014). It finds that the sharp increase in low-skill migrant deportations under Secure Communities from 2008–2014, county by county, “did not cause a meaningful reduction in the FBI’s overall index crime rate. Nor did it reduce the rate of any individual violent offense. This is important as Secure Communities specifically, and criminal deportation policies more generally, have long been publicly justified primarily on grounds that they keep communities safer from violent crime.” *Id.* at 969.

Moreover, recent peer-reviewed research published in *Oxford Economic Papers* finds *no association* between increases in unauthorized immigration and increases in violent or property crime across U.S. states. Christian Gunadi, *On the Association Between Undocumented Immigration and Crime in the United States*, Oxford Econ. Papers 200 (2021). This is not an isolated study, but one of the most recent in decades of consistent findings, and the most recent considering unauthorized immigration to the U.S. specifically. A comprehensive review of the academic criminology literature concludes that “overall, the immigration-crime association is negative—but very

weak.” Graham C. Ousey & Charis E. Kubrin, *Immigration and Crime: Assessing a Contentious Issue*, 1 Ann. Rev. Criminology 63, 63 (2018). That is, the broad conclusion of the peer-reviewed academic literature on the effect of immigration on crime is that immigration tends to leave crime rates unaffected, if not slightly reduced.

The evidence does not dictate that there are *no* violent criminals among Venezuelan TPS beneficiaries, or that none among them will ever commit a violent crime in the U.S. The number of violent criminals is also obviously above zero among inadmissible immigrants in general, among foreign-born individuals with nonimmigrant work visas, among foreign-born Lawful Permanent Residents, and among U.S. citizens—including every racial subgroup, every religious subgroup, every category of educational attainment, and every socioeconomic class within all of those groups.

But economists and criminologists who investigate links between immigration and crime focus exclusively on the effect of immigration on the statistical *prevalence* of crime, rather than on the existence of individual criminal acts, the latter of which are uninformative as a guide to government policy toward any one social group. Notwithstanding any incidents of violent crimes carried out by Venezuelan nationals in the United States, there is no credible research suggesting that rates of violent crime (or any other type of crime) are higher among Venezuelan TPS beneficiaries than among other foreign-born subpopulations, or among U.S. nationals.

CONCLUSION

The latest and best peer-reviewed research available implies that terminating Temporary Protected Status for Venezuelan nationals would harm public welfare by major reductions in GDP, employment opportunities for U.S. nationals, and net federal tax revenue. It furthermore implies that such removal would cause further inflation of home prices and would not reduce rates of violent or property crime.

September 29, 2025

Respectfully submitted,

/s/ Vincent Levy

VINCENT LEVY

Counsel of Record

COLIN A. MARK

TORRELL E. MILLS

HOLWELL SHUSTER

& GOLDBERG LLP

425 Lexington Avenue

14th Floor

New York, NY 10017

(646) 837-5120

vlevy@hsgllp.com

Counsel for Amici Curiae

APPENDIX

TABLE OF APPENDICES

APPENDIX — List of Amici Curiae.....	1a
--------------------------------------	----

APPENDIX

Catalina Amuedo-Dorantes Professor of Economics University of California, Merced	Leah Bouston Professor of Economics Princeton University
Michael Clemens Professor of Economics George Mason University Lead Amicus	Chloe East Associate Professor of Economics University of Colorado, Boulder
Delia Furtado Professor of Economics University of Connecticut	Carolyn J. Heinrich Professor of Public Policy, Education and Economics Vanderbilt University
Exequiel Hernandez Professor of Economics University of Pennsylvania	Andrei A. Levchenko Professor of International Economics University of Michigan
Ethan Lewis Professor of Economics Dartmouth College	Philip Luck Former Deputy Chief Economist U.S. Department of State
Hani Mansour Professor of Economics University of Colorado, Denver	Anna Maria Mayda Professor of Economics Georgetown University
Petra Moser Professor of Economics New York University	Margaret Peters Economist University of California, Los Angeles

University affiliations are provided for identification purposes only.