

Nos. 18-587, 18-588, 18-589

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IN THE

**Supreme Court of the United States**

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DEPARTMENT OF HOMELAND SECURITY, ET AL.,

*Petitioners,*

v.

REGENTS OF THE UNIVERSITY OF CALIFORNIA, ET AL.,

*Respondents.*

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**On Writ of Certiorari to the  
United States Court of Appeals  
for the Ninth Circuit**

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**BRIEF OF *AMICI CURIAE* 109 CITIES,  
COUNTIES, MUNICIPALITIES, AND LOCAL  
GOVERNMENT ADVOCACY ORGANIZATIONS  
IN SUPPORT OF RESPONDENTS**

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[Additional Captions Listed On Inside Cover]

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

*Petitioners,*

v.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF  
COLORED PEOPLE, ET AL.,

*Respondents.*

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**On Writ of Certiorari Before Judgment to the  
United States Court of Appeals  
for the District of Columbia Circuit**

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KEVIN K. MCALEENAN, ACTING SECRETARY OF  
HOMELAND SECURITY, ET AL.,

*Petitioners,*

v.

MARTIN JONATHAN BATALLA VIDAL, ET AL.,

*Respondents.*

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**On Writ of Certiorari Before Judgment to the  
United States Court of Appeals  
for the Second Circuit**

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## QUESTIONS PRESENTED

In 2012, the Secretary of Homeland Security announced a policy that would provide a temporary forbearance of removal for certain undocumented immigrants who unwittingly entered the United States as children. Known as Deferred Action for Childhood Arrivals (DACA), the program allows such noncitizens to receive a renewable two-year term of deferred action—a form of prosecutorial discretion whereby the government declines to pursue removal—if they have no criminal record and satisfy various educational or military service requirements. Under longstanding federal regulations, any person subject to deferred action, including DACA recipients, may apply for government work authorization. In the seven years since DACA was implemented, more than 800,000 young people throughout the country have applied for and received deferred action. In September 2017, the Department of Homeland Security (DHS) announced that it would rescind DACA because it believed the program was unlawful and would likely be struck down by the courts.

The questions presented are:

1. Whether DHS's decision to rescind DACA is judicially reviewable.
2. Whether DHS's decision to rescind DACA is unlawful.

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