No. 19-2222

In the

United States Court of Appeals

for the

Fourth Circuit

CASA DE MARYLAND, INC.; ANGEL AGUILUZ; MONICA CAMACHO PEREZ,

Plaintiffs-Appellees,

– v. –

DONALD J. TRUMP, in his official capacity as President of the United States; CHAD WOLF, in his official capacity as Acting Secretary of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; KENNETH T. CUCCINELLI, II, in his official capacity as Acting Director, U.S. Citizenship and Immigration Services; U.S. CITIZENSHIP AND IMMIGRATION SERVICES,

Defendants-Appellants.

On appeal from the United States District Court for the District of Maryland, Case No. 8:19-cv-2715, Hon. Paul W. Grimm

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BRIEF OF 104 BUSINESSES AND ORGANIZATIONS AS *AMICI CURIAE* SUPPORTING PLAINTIFFS-APPELLEES

PAUL W. HUGHES
MICHAEL B. KIMBERLY
MATTHEW A. WARING
McDermott Will & Emery LLP
500 North Capitol Street NW
Washington, DC 20001
(202) 756-8000

Counsel for Amici Curiae

CORPORATE DISCLOSURE STATEMENT

Corporate disclosure information for each of the *amici curiae* is located in the addendum at the end of this brief.

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INTEREST OF THE *AMICI CURIAE*

Amici are 104 companies and organizations of varying size from across the United States. Collectively, they or their members employ approximately one million American workers and generate more than one trillion dollars in revenue. As employers at the forefront of the modern American economy, *amici* have substantial experience with recruiting and hiring noncitizens and sponsoring them for immigration benefits, such as visas and permanent residence.[1]

Amici file this brief to explain why the final Public Charge Rule (the "Rule") creates substantial, unprecedented, and unnecessary obstacles for individuals seeking to come to the United States or, once here, to adjust their immigration status. By hindering immigration—including the movement of highly-skilled immigrants—the Rule will slow economic growth, prevent businesses from expanding, and break faith with core American values. This is bad policy for American businesses and American taxpayers, and *amici* have a vital interest in ensuring that the Rule is properly held unlawful.

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[1] Pursuant to Fed. R. App. P. 29(a)(4)(E), *amici* state that no counsel for a party authored this brief in whole or in part, and that no person other than *amici*, their members, or their counsel contributed money that was intended to fund preparing or submitting the brief. All parties consented to the filing of this brief. A full list of the signatories to this brief is found in Addendum A.

INTRODUCTION

The greatness of the United States is attributable, in no small part, to its openness to immigration from around the world. For many years, talented and industrious people have moved to the United States to start new lives and pursue new careers. In turn, immigrants have enriched American life and promoted American prosperity—by founding successful businesses, achieving breakthroughs in science and engineering, and contributing to the cultural and economic fabric of their communities. Every American has been made better off by the benefits of robust immigration.

The Rule under review here greatly expands the Department of Homeland Security's ("DHS") ability to deny immigration benefits on the ground that individuals are likely to become "public charges." The Rule does so in two principal ways.

First, it substantially raises the bar that an applicant for permanent resident status must clear in order not to be deemed likely to become a "public charge." Under longstanding regulations that spanned administrations of both parties, an individual was deemed a "public charge" only if the government determined that he or she was "primarily dependent on the government for subsistence." This generally required a showing that the individual received either public cash assistance or long-term institutionalization at government expense. Under the new policy, by

contrast, an individual is treated as an inadmissible "public charge" if he or she is found *likely* to receive *any* amount of public benefits, no matter how small, for 12 months out of a three-year period. And even if an individual has never previously received any public benefits, the federal government may *still* determine that the individual is nonetheless "likely" at "any time in the future" to seek benefits, rendering him or her ineligible for any immigration benefits. 84 Fed. Reg. 41,501 (proposed 8 C.F.R. § 212.21(c)).

Second, the Rule drastically expands on the criteria that immigration officials are to use to make these predictions. Officials can now rely on a host of dubious factors to make speculative guesses about a noncitizen's future financial prospects—including disability status, English fluency, family size, level of education, health conditions, and several other criteria. Many of these criteria are designated as "heavily negatively weighted" factors that have outsized influence on the final determination—making the Rule a dramatic departure from the totality-of-the-circumstances inquiry prescribed by current law.

The net effect of this Rule is a very substantial restriction on most forms of *legal* immigration. *See* Jeanne Batalova et al., *Through the Back Door: Remaking the Immigration System via the Expected "Public-Charge" Rule*, Migration Policy Inst. (Aug. 2018), perma.cc/3TZJ-U9VY (estimating that up to 56% of current legal immigrants would be barred by the Rule).

This will be extraordinarily harmful for America: Employers will be unable to hire the talent they need, resources will be wasted complying with these onerous new regulatory requirements, and public health and economic growth will suffer.

Most troublingly of all, the Rule would spell an end to a bedrock principle of America's immigration system—that immigrants should not be shut out of the opportunities available in America because they have not already achieved a certain level of wealth. By closing the door to immigrants who are not deemed to be sufficiently well off, the Rule all but ensures that the next Alexander Hamilton, Andrew Carnegie, or Indra Nooyi will not become an American. The Court should reject this arbitrary, capricious, and unconscionable regulation.

ARGUMENT

A. The Rule Will Impede Hiring By American Employers.

American businesses depend upon an efficient immigration system to ensure that they have access to the talent that they need to grow and succeed. Although the American-citizen workforce is highly skilled, businesses sometimes benefit by hiring foreign nationals for certain positions, often sponsoring these workers for permanent residency. Immigration law has long recognized that, in such circumstances, businesses require pathways (such as H-1B and L-1 visas adjusted to

employment-based permanent residency) for foreign nationals to come to and remain in the United States to work.

The Rule, however, would restrict American businesses' ability to hire foreign-born workers, because, under the Rule, many skilled workers who would otherwise have been eligible for permanent residency would now be barred from receiving it. Under the Rule, DHS adjudicators *must* apply a "public charge determination" test based on *20* different factors, including:

1. **Age:** If an individual is younger than 18 or older than 61, the adjudicator must consider this a "negative factor." 84 Fed. Reg. 41,502 (proposed 8 C.F.R. § 212.22(b)(1).

2. **Health conditions**: If an individual has been diagnosed with any "medical condition" that is "likely to require extensive medical treatment or institutionalization or that will interfere with the [individual's] ability to provide and care for himself or herself, to attend school, or to work," the adjudicator must consider this a "negative factor." *Id.* at 41,502 (proposed 8 C.F.R. § 212.22(b)(2)).

3. **Future medical costs**. The adjudicator must determine whether the individual "has sufficient household assets and resources to cover any reasonably foreseeable medical costs," including (but not necessarily limited to) costs related to a medical condition as described above. If not, the adjudicator must consider this a "negative factor." *Id.* at 41,503 (proposed 8 C.F.R. § 212.22(b)(4)(i)(C)).

4. **Insurability**: If an individual is "uninsured" and determined to have "neither the prospect of obtaining private health insurance, nor the financial resources to pay for reasonably foreseeable medical costs related to such medical condition," the adjudicator must consider this a "heavily weighted negative factor." *Id.* at 41,504 (proposed 8 C.F.R. § 212.22(c)(1)(iii)(B)).

5. **Family size:** The adjudicator must consider an individual's household size, with a larger number household members constituting

greater evidence that the individual is "more likely than not to become a public charge at any time in the future." *Id.* at 41,502 (proposed 8 C.F.R. § 212.22(b)(3)). Thus, if relatives—such as multiple children or grandparents serving as caregivers—reside with an immigrant, the government can treat this as a factor to deny immigration benefits.

6. **Income above 1.25 times the poverty line:** The adjudicator must examine the individual's annual gross household income, based on a more expansive definition of "household" than DHS has used for more than two decades in its requirements for a financial sponsor's Affidavit of Support. If this income level is not greater than 125% of the Federal Poverty Guidelines, the adjudicator must consider this a "negative factor." This determination can be overcome only upon the showing of significant financial assets. *Id.* at 41,502-03 (proposed 8 C.F.R. § 212.22(b)(4)).

7. **Income above 2.5 times the poverty line**: Income only becomes a "heavily weighted positive factor" if either the individual's annual gross household income (or equivalent assets) or individual annual income is greater than 250% of the Federal Poverty Guidelines. *Id.* at 41,504 (proposed 8 C.F.R. § 212.22(c)(2)(i)-(ii)). This high cutoff does not account for the reality that many of the most skilled immigrant workers will be compensated with stock options on top of their regular annual income. It is not uncommon for highly skilled workers at technology companies, for example, to take 20-50% of their compensation in stock options rather than salary.

8. **Credit:** The adjudicator must evaluate the individual's "credit history and credit score," which may be deemed a "negative factor." *Id.* at 41,503 (proposed 8 C.F.R. § 212.22(b)(4)(ii)(G)).

9. **Financial liabilities:** The adjudicator must consider whether the individual has "any financial liabilities." *Id.* (proposed 8 C.F.R. § 212.22(b)(4)(i)(D)). Such liabilities, including but not limited to "any mortgages, car loans, unpaid child or spousal support, unpaid taxes, and credit card debt," must be considered a "negative factor." *Id.* (proposed 8 C.F.R. § 212.22(b)(4)(ii)(G)).

10. **Health insurance:** Insurance coverage only becomes a "heavily weighted positive factor" if the individual has private health

insurance *other* than plans subsidized under the Affordable Care Act. *Id.* at 41,504 (proposed 8 C.F.R. § 212.22(c)(2)(iii)).

11. **Employment history:** The adjudicator must evaluate the individual's tax transcripts or "other credible and probative evidence of the [individual's] history of employment" for the prior three years, and must determine whether this employment history—or alternatively, status as a "primary caregiver"—constitutes a "negative factor" or "positive factor." *Id.* at 41,503 (proposed 8 C.F.R. § 212.22(b)(5)(ii)(A)). If the adjudicator determines that the individual is "not a full-time student and is authorized to work, but is unable to demonstrate current employment, recent employment history, or a reasonable prospect of future employment," this must be deemed a "heavily weighted negative factor." *Id.* at 41,504 (proposed 8 C.F.R. § 212.22(c)(1)(i)).

12. **Education:** If the individual lacks "a high school diploma (or its equivalent)" or "higher education degree," the adjudicator must consider this a "negative factor." *Id.* at 41,503 (proposed 8 C.F.R. § 212.22(b)(5)(ii)(B)).

13. **Skills:** If the individual lacks "occupational skills, certifications, or licenses" the adjudicator must consider this a "negative factor." *Id.* at 41,504 (proposed 8 C.F.R. § 212.22(b)(5)(ii)(C)).

14. **English proficiency:** The adjudicator must determine whether the individual is sufficiently "proficient in English or proficient in other languages in addition to English," and if not, this constitutes a "negative factor." *Id.* (proposed 8 C.F.R. § 212.22(b)(5)(ii)(D)).

15. **Prospective immigration status:** The adjudicator must consider "the immigration status that the [individual] seeks and the expected period of admission as it relates to the [individual's] ability to financially support for himself or herself during the duration" of stay in the United States, and must decide whether this is a "positive" or "negative" factor. *Id.* (proposed 8 C.F.R. § 212.22(b)(6)(i)).

16. **Affidavit of support:** The adjudicator must consider whether the individual has submitted an affidavit of support from a U.S. sponsor. *Id.* (proposed 8 C.F.R. § 212.22(b)(7)).

17. **Sponsor reliability:** The adjudicator must evaluate "the likelihood that the sponsor would actually provide the statutorily-required amount of financial support," and decide whether this constitutes a "negative" or "positive factor." *Id*. (proposed 8 C.F.R. § 212.22(b)(7)).

18. **Public benefits:** The adjudicator must consider whether the individual has applied for or received certain public benefits, and any such application or receipt must be considered a "negative factor." *Id.* at 41,503 (proposed 8 C.F.R. § 212.22(b)(4)(ii)(E)). If the individual has received certain public benefits for more than 12 months within a 36-month period, the adjudicator must consider this a "heavily weighted negative factor." *Id.* at 41,504 (proposed 8 C.F.R. § 212.22(c)(1)(ii)).

19. **Fee waivers:** If the individual has applied for certain fee waivers from DHS, the adjudicator must consider this a "negative factor." *Id.* at 41,503 (proposed 8 C.F.R. § 212.22(b)(4)(ii)(F)).

20. **Prior immigration proceedings.** If the individual has been "previously found inadmissible or deportable on public charge grounds by an Immigration Judge or the Board of Immigration Appeals," the adjudicator must designate this a "heavily weighted negative factor." *Id.* at 41,504 (proposed 8 C.F.R. § 212.22(c)(1)(iv)).

Under this approach, a 62-year-old professional who intends to work for a number of additional years might be deemed likely to become a public charge because of her age. A talented worker who happens to have a disability is at risk of being deemed likely to become a public charge on grounds of poor "health." And a worker who currently earns less than 250

percent of the Federal Poverty Guidelines for his family of four ($64,375)[2] may be found to be likely to become a public charge, even though his salary is roughly the same as the national *median* household income ($63,179 in 2018).[3]

In short, these criteria are a recipe for denying permanent residency to an enormous number of individuals who are eminently qualified for immigration to the United States. Indeed, given the numerous and amorphous factors—and the unfettered discretion given to immigration officials—virtually *any* applicant could be found to have *some* basis for a denial.

And these criteria are divorced from our common experiences as Americans. To be "presumptively" not a public charge, an individual must have a salary of 250 percent of the Federal Poverty Guidelines. The Rule thus seeks to limit permanent residency to those who are *already* in the middle class, not those who are striving to join it. What is more, penalizing immigrants for having children, student loans, or mortgages runs contrary

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[2] *See* Dep't of Health & Human Servs., *U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs*, https://aspe.hhs.gov/poverty-guidelines.

[3] *See* Fed. Reserve Bank of St. Louis, *Real Median Household Income in the United States*, perma.cc/4EEU-SV3T.

to our central principles—our children, our education, and our communities have always been at the heart of our American identity.

These effects are not speculative: The restrictions in the Rule will bar large numbers of workers from permanent residency. The Migration Policy Institute has calculated that some 56 percent of legally present immigrants who arrived in the last five years have incomes below 250 percent of the Federal Poverty Guidelines and thus could be denied permanent residency under the Rule. Batalova et al., *supra*.

Moreover, the Rule will have a particularly acute impact on married couples. More than *half* (53%) of foreign-born spouses of U.S. citizens or permanent residents would likely be excluded from receiving marriage-based green cards (*i.e.*, permanent residency) under the Rule's income requirement, because they are either on visas that do not allow them to work or are employed in jobs that pay less than the Rule's new income threshold. *See* Comments of Boundless Immigration Inc. on Proposed Rule at 9-10 (Dec. 10, 2018), perma.cc/TT6J-P8VN ("Boundless Comment"). Not only will these foreign-born individuals be unable to become U.S. residents, but their *U.S. citizen* spouses may face pressure to leave the United States to avoid being separated from them. Thus, under the Rule, the talent pool—of both citizens and noncitizens—available to American employers is likely

to be drastically reduced, with far-reaching consequences for American competitiveness.

B. The Rule Would Impose An Onerous Compliance Burden On Workers And Their Employers.

For noncitizens who choose to pursue permanent residency despite the new eligibility bars, the Rule will nearly *double* the amount of paperwork required, making the process significantly more difficult and time-consuming and thus increasing the compliance burden on immigrants and their employers. Indeed, these costs will be borne by *all* applicants for permanent residency, including those whose financial status and personal circumstances obviate any meaningful public charge inquiry. In short, the Rule will create enormous cost without any corresponding benefit.

The Rule creates a new form, Form I-944, that many applicants for visas or adjustment of status would be required to fill out in order to prove that they are not likely to become a public charge. 84 Fed. Reg. at 41,497. The final version of the form published by DHS is 18 pages long, and it asks for substantial amounts of sensitive and likely unnecessary information that the declarant would have to gather, including a copy of the declarant's most recent tax return; evidence of any "additional income"; documentary evidence showing the amount in the declarant's checking account, savings account, any annuities, stocks, bonds, certificates of deposit, retirement or educational accounts, or real estate holdings; documentary evidence of any

mortgages, car loans, credit card debt, education-related loans, tax debts, liens, and personal loans; a credit report, or a credit agency report of "no record found"; if applicable, documentary evidence of the resolution of any previous bankruptcy; if applicable, documentary evidence of health insurance; and, if applicable, documentary evidence showing the receipt of unemployment benefits. *See generally* Form I-944 (Sept. 23, 2019), perma.cc/W8B8-HK62.

The great majority of applicants for permanent residency—regardless of income or financial status—will be required to complete a Form I-944 or its State Department equivalent. Thus, even the sliver of applicants who may not be concerned about a public charge determination will still bear the brunt of vast new compliance costs.

These costs are significant. To complete the form properly, an individual would need to access what would likely amount to dozens of different sources of information. He or she would have to obtain several letters establishing a five-year employment history. The applicant would likely have to contact a variety of state and federal agencies to obtain other information. The applicant would have to search diligently through personal records, and most would be obligated to obtain copies of records from banks and other financial institutions. And the applicant would be required to obtain copies of educational records, including transcripts and

diplomas. Given that many applicants will be preparing applications a continent away from where many of these records are held, obtaining them will pose an enormous practical burden.

Leading providers of immigration services, based on their extensive experience helping individuals complete immigration forms, estimate that in all, an individual would need to spend at least 18 hours to complete these tasks and fill out Form I-944. Boundless Comment at 26. Based on the average hourly private-sector wage rate for 2018, adjusted by the benefits-to-wage multiplier used by the Bureau of Labor Statistics, the opportunity cost to an individual of filling out the form would accordingly be more than *$700* for a U.S.-based applicant, and nearly $450 for a non-U.S. based applicant. Boundless Comment at 26-27.

Moreover, completing Form I-944 will often require an applicant or his or her employer to retain an immigration attorney to review and file the form. Indeed, the vast majority of employment-based immigration applications and petitions, and some 30% of all other petitions, are already filed with legal assistance. Boundless Comment at 27. Based on consultations with leading immigration practitioners, *amici* estimate the cost of this legal assistance at roughly $1,667. *Id.*

The compliance burden created by the Rule will have adverse consequences for immigrants and their would-be American employers.

Many individuals will be forced to bear these costs themselves, putting them hundreds or thousands of dollars out-of-pocket. Many will thus be deterred from even applying for permanent residency despite being eligible—and some may abandon applications once begun.

Employers, meanwhile, would have to contend with new costs, delays, and uncertainty in their hiring processes. *Amici* estimate that, under the Final Rule, an application for permanent residency will require 50% to 100% more paper than under prior law. It is all but a certainty that this increase in paper will cause federal agencies' processing times for applications to slow down, making it harder for employers to hire or retain workers. The burden of these delays will create particular problems for employers in scientific industries, where projects are often funded by government and/or nonprofit grants and a failure to hire appropriate personnel in a timely manner may mean the loss of funding.

Moreover, when businesses sponsor employees for lawful permanent residency or temporary work visas, they typically pay the legal costs of assembling the applications—costs that will be much higher under the Rule. These legal fees alone could cost U.S. businesses more than *$450 million* annually (Boundless Comment at 30)—money that will not be spent investing in new equipment, employee training, and research and development. And when the opportunity cost of the time spent by applicants

filling out such forms is factored in, the aggregate cost of the Rule will total roughly $1.1 billion annually. *Id.*

Indeed, even that figure may understate the costs that businesses will face to sponsor employees for adjustment of status under the Rule, because that process will now require businesses to become custodians of applicants' sensitive personal information. As detailed above, the new Form I-944 requires applicants to collect and submit highly private information, including financial information, health information, and the like. Given the risks associated with handling such sensitive information (*see, e.g.*, Fed. Trade Comm'n, *Protecting Personal Information: A Guide for Business* (Oct. 2016)), businesses that assist employees or new hires with the application process will have to develop means of safeguarding this information—a cumbersome undertaking. And those that already have privacy policies in place regarding the handling of personal information may be impeded in how they can help applicants complete the form.[4] In short, the Rule will be a significant drag on the economy—one that America can ill afford.

[4] Businesses that file immigration forms themselves, such as Form I-129 (for temporary work visas or extensions of such visas), may also be placed in the awkward position of having to certify under penalty of perjury that the information that a worker has provided is correct.

C. The Costs Of The Rule Far Outweigh Any Putative Benefits.

Perhaps the most remarkable feature of the Rule is that DHS has made no meaningful attempt to determine whether the benefits of the Rule would outweigh the significant costs that it would impose. They do not. On the contrary, the costs of the Rule dwarf any alleged benefits that it might yield.

1. The benefits of the Rule are illusory.

The principal benefit of the Rule, according to DHS, will be "to better ensure that [noncitizens] who are admitted to the United States, seek extension of stay or change of status, or apply for adjustment of status will be self-sufficient." 84 Fed. Reg. at 41,301. The agency claims that, as a result of the Rule, the amount of transfer payments made annually by federal and state governments through public benefits programs will be reduced by $2.47 billion annually. *Id.* at 41,485.

But any reduction in benefits payments to noncitizens under the Rule is a "solution" to a problem that does not exist. Study after study has found that immigrants provide more in tax revenue to federal, state, and local governments than they use in benefits.

For example, a leading study by a panel of experts at the National Academy of Sciences examined two decades of data and concluded that immigration produces net economic and fiscal benefits to the United States.

The study found that the average immigrant has a *positive* long-run fiscal impact of approximately $53,000, using a 75-year timespan and the future path of taxes and spending projected by the Congressional Budget Office. Nat'l Acads. of Sci., Eng'g, & Med., *The Economic and Fiscal Consequences of Immigration* 431 (Francine D. Blau & Christopher Mackie eds., 2017). Previous studies corroborate this finding.[5] DHS's prediction that barring more immigrants from receiving permanent residency on public charge grounds will have a positive fiscal impact is thus not only speculative—it is belied by the evidence.

Moreover, much of the $2.47 billion annual reduction in transfer payments that DHS predicts would not actually be due to the legal effect of the Rule. As DHS *concedes*, many of the noncitizens who would disenroll from public benefits if the Rule goes into effect would not be captured by the

[5] *See, e.g.* Cong. Budget Office, *Congressional Budget Office Cost Estimate* (June 4, 2007), perma.cc/8S73-7X5Q (finding that costs of immigration reform legislation "would be mostly offset by additional revenue"); Nat'l Acads. of Sci., Eng'g, & Med., *The New Americans: Economic, Demographic, and Fiscal Effects of Immigration* (James P. Smith & Barry Edmonston eds., 1997), goo.gl/p82ZAo (finding net positive fiscal impact from immigration); The White House, Council of Econ. Advisers, *Immigration's Economic Impact* (June 20, 2007), perma.cc/BZQ3-8V6E ("[C]areful forward-looking estimates of immigration's fiscal effects, accounting for all levels of government spending and tax revenue, suggest a modest positive influence on average. The fiscal impact of skilled immigrants is more strongly positive.").

Rule's definition of "public charge," but would disenroll anyway out of *fear* of being deemed a "public charge." *See* DHS, *Regulatory Impact Analysis: Inadmissibility on Public Charge Grounds* 83 (Aug. 2019), https://bit.ly/2KBg2Pf ("Individuals who might choose to disenroll from or forego future enrollment in a public benefits program include [individuals] . . . even if they are not subject to the public charge inadmissibility determination or whose public benefit receipt would not be considered in the alien's public charge inadmissibility determination."). DHS can hardly claim that chilling individuals from obtaining various benefits to which they are lawfully entitled—programs that local, state, and federal authorities deem to be in the public interest—is a legitimate economic "benefit" justifying the Rule's adoption. The potential for public fear and misperception is a vice in agency decision making, not a virtue.

2. *The costs of the Rule—particularly for the community of persons with disabilities—will be enormous.*

On the other side of the ledger, the costs of the Rule to the U.S. economy will be staggering. We have already discussed one of the costs imposed by the Rule: The cost to immigrants and their employers of filling out potentially over a million Forms I-944 and its equivalent each year, which alone could amount to $1.1 billion annually in wasted time and legal fees. Boundless Comment at 30. This just begins to touch on the severe costs of the Rule.

First, the Rule would discourage the use of vital public health programs. For example, the Rule will chill enrollment in Medicaid and the Children's Health Insurance Program (CHIP): Kaiser Family Foundation has calculated that under the Rule, "an estimated 875,000 to 2 million citizen children with a noncitizen parent could drop Medicaid/CHIP coverage despite remaining eligible." Henry J. Kaiser Family Found., *Proposed Changes to "Public Charge" Policies for Immigrants: Implications for Health Coverage* 4 (Sept. 2018), goo.gl/5E4Qki. The public health impacts of reduced participation in these programs will be costly for American taxpayers, who will bear the burden when uninsured noncitizens are treated in emergency rooms rather than doctors' offices.

Second, the Rule will sap the growth of the U.S. economy—leading to reduced prosperity for citizens and noncitizens alike. Because immigrants will receive fewer public benefits under the Rule, they will cut back their consumption of goods and services, depressing demand throughout the economy. In the economic analysis for the Rule, DHS makes no attempt to quantify the total cost of these indirect demand effects, but it is likely to be sizable. The New American Economy Research Fund calculates that, on top of the $48 billion in income that is earned by individuals who will be affected by the Rule—and that will likely be removed from the U.S. economy—the Rule will cause an indirect economic loss of more than $33.9 billion. New

Am. Econ. Research Fund, *The New "Public Charge" Rule and Its Negative Impact on the U.S. Economy*, Oct. 14, 2019, perma.cc/8QYK-2RBM. Indeed, the Fiscal Policy Institute has estimated that the decrease in SNAP and Medicaid enrollment under the Rule could, *by itself*, lead to economic ripple effects of anywhere between $14.5 and $33.8 billion, with between approximately 100,000 and 230,000 jobs lost. Fiscal Policy Inst., *"Only Wealthy Immigrants Need Apply": How a Trump Rule's Chilling Effect Will Harm the U.S.* at 5 (Oct. 10, 2018), goo.gl/FTyqxQ.[6] Health centers alone would be forced to drop as many as 6,100 full-time medical staff. Leighton Ku et al., George Wash. Univ. & RCHN Cmty. Health Found., *How Could the Public Charge Proposed Rule Affect Community Health Centers?* at 5 (Nov. 2018), perma.cc/H98L-VT3V. Given that SNAP and Medicaid are only two of the many benefits regulated by the Rule, the total economic effects of the rule would likely be much larger.

The economic effects of the Rule, moreover, will extend beyond reducing transfer payments to immigrants who are present in this country; the rule will also increase the number of would-be immigrants who are

[6] *See also* Cindy Mann et al., Manatt, Phelps & Phillips, LLP, *Medicaid Payments at Risk for Hospitals Under the Public Charge Proposed Rule* 11 (Nov. 2018), goo.gl/s8uacx ("Under the public charge proposed rule, an estimated $68 billion in healthcare services for Medicaid and CHIP enrollees who are noncitizens ($26 billion) or the citizen family members of a noncitizen ($42 billion) would be at risk of chilling impacts.").

barred from entering the United States in the first place, and thus prevent those individuals from participating in the economy at all. If admitted to the United States and allowed to remain as permanent residents, those individuals would pay taxes, contribute the value of their labor to the workforce, and purchase goods and services from American businesses—thereby boosting economic growth.

The magnitude of this effect is enormous: One study calculates that "for every 1 percent increase in [the] U.S. population made of immigrants, GDP rises 1.15 percent." Lena Groeger, ProPublica, *The Immigration Effect* (July 19, 2017), perma.cc/JR2E-7E5Y. And the contribution of skilled workers is particularly important, because skilled "immigration is associated with higher levels of innovation for the United States." William R. Kerr, *U.S. High-Skilled Immigration, Innovation, and Entrepreneurship: Empirical Approaches and Evidence* 3 (Nat'l Bureau of Econ. Research Working Paper 19377, Aug. 2013), https://perma.cc/9LPZ-4RNV. In short, as a result of the Rule, demand and economic growth will be considerably lower, canceling out any money that states and the federal governments save in transfer payments many times over.

Third, the Rule will have an especially pronounced (and especially unwarranted) effect on persons with disabilities. As noted above, the Rule requires DHS to treat negatively any medical condition that is "likely to

require extensive medical treatment or institutionalization or that will interfere with the [individual's] ability to provide and care for himself or herself, to attend school, or to work"—a description that could be applied to many common disabilities. 84 Fed. Reg. at 41,502. It also treats negatively any costs associated with such medical conditions, which can be sizable in the case of many disabilities. The effect of the Rule, in short, is to "place virtually anyone with a significant disability in serious jeopardy of being deemed likely to become a public charge." Comment of Disability Rights Education & Defense Fund (DREDF) at 5 (Dec. 10, 2018), perma.cc/9E4T-GBUG.

The harm imposed on the disabled community will not be limited to the loss of opportunity to become permanent residents. As noted above, many immigrants with disabilities (like other immigrants) may be chilled from using public health services and other benefits, placing their health and well-being at risk. DRDEF Comment at 5. And the loss of potential permanent residency will make it harder for immigrants with disabilities to achieve stability in employment and economic success. *Id.* Thus, the regulation directly contradicts strong federal policy in favor of protecting the right of persons with disabilities "to fully participate in all aspects of society." 42 U.S.C. § 12101(a)(1).

The harms this will impose on *amici* are substantial. Individuals with disabilities are an important part of America's leading workforce. *Amici* draw immense value from employing many individuals with disabilities. These employees provide high quality work, bettering their employers. And they add to the diverse employee fabric that *amici* believe is critical to their success. Because *amici* provide goods and services to the United States as a whole, it is essential for *amici* that their employment population itself reflects the rich diversity of individuals within the country. That includes individuals with disabilities. The Rule, however, will impede *amici*'s hiring of noncitizen workers who have disabilities—a serious cost borne by all.

D. The Rule Is Contrary To American Values.

Although the Rule will have a disastrous impact on the bottom lines of American taxpayers and American businesses, its defects cannot be reckoned solely in terms of dollars and cents. By closing the door to immigrants whom DHS deems insufficiently wealthy—or who possess any of the several characteristics that DHS believes may portend a lack of future wealth—the Rule undermines the principle that has animated immigration policy since the Nation's founding. We have long believed that people from all walks of life should have the opportunity to come to this country, contribute to American society, and make new lives for themselves and their families through ingenuity, entrepreneurship, and hard work.

Centuries of experience and history have proven the wisdom of that principle. "The American economy stands apart because, more than any other place on earth, talented people from around the globe want to come here to start their businesses." P'ship for a New Am. Econ., *The "New American" Fortune 500*, at 5 (June 2011), http://goo.gl/yc0h7u. Indeed, immigrants are "more likely than the native-born to become entrepreneurs." Robert W. Fairlie et al., Ewing Marion Kauffman Found., *The 2016 Kauffman Index: Startup Activity* 7 (Aug. 2016), https://goo.gl/6Wr5Mc.

Immigrants make a particularly outsized contribution to the American small business sector. "While accounting for 16 percent of the labor force nationally and 18 percent of business owners, immigrants make up 28 percent of Main Street business owners." Americas Soc'y & Council of the Americas, *Bringing Vitality to Main Street* 2 (Jan. 2015), https://goo.gl-/i9NWc9. And in 2011, immigrants opened 28% of all new businesses in the United States. *See* P'ship for a New Am. Econ., *Open For Business: How Immigrants Are Driving Small Business Creation in the United States* 3 (Aug. 2012), https://goo.gl/zqwpVQ. Immigrant-founded businesses represent many of "the shops and services that are the backbone of neighborhoods around the country." Americas Soc'y, *supra*, at 2.

At the same time, immigrants and their children have also founded many of the largest businesses in America, including more than 43% of the

companies in the 2017 Fortune 500. Ctr. for Am. Entrepreneurship, *Immigrant Founders of the 2017 Fortune 500*, perma.cc/LGU5-MAZ8. And of the nearly 100 American startups valued at $1 billion or more, the majority (55%) have an immigrant founder. Stuart Anderson, National Found. for Am. Pol'y, *Immigrants and Billion-Dollar Companies*, (Oct. 2018), perma.cc/Y9Z5-ADMQ.

Immigrants are also major contributors to the fields of science, technology, and medicine. Between 2000 and 2016, more than one-third of all American Nobel Prize winners in Chemistry, Medicine, and Physics were immigrants. *See* Stuart Anderson, *Immigrants Flooding America with Nobel Prizes*, Forbes (Oct. 16, 2016), http://goo.gl/RILwXU. Among individuals with advanced educational degrees, immigrants are nearly three times more likely to file patents than U.S.-born citizens. Michael Greenstone & Adam Looney, The Hamilton Project, *Ten Economic Facts About Immigration* 11 (Sept. 2010), https://goo.gl/3zpdpn. By one estimate, noncitizen immigrants were named on almost a quarter of all U.S.-based international patent applications filed in 2006. Vivek Wadhwa et al., *America's New Immigrant Entrepreneurs*, Duke Univ. & Univ. Cal. Berkeley 4 (Jan. 4, 2007), https://goo.gl/wCIySz. And children of immigrants made up 83% of the top-performing students in the well-known Intel high school science competition. Stuart Anderson, Nat'l Found. for Am. Pol'y, *The*

Contributions of the Children of Immigrants to Science in America 1-3, 5, 12 (Mar. 2017), https://goo.gl/7noMyC.

From Alexander Hamilton to Andrew Carnegie to Indra Nooyi, many of the immigrants who have succeeded the most in America came to this country with modest means. That is the genius of the American system: Talented and hard-working people can thrive here, no matter how humble their beginnings.

The Rule acknowledges that immigrants "make significant contributions to American society and enhance the culture of American life and communities." 84 Fed. Reg. at 41,314. But if the Rule is allowed to stand, many fewer immigrants will have the opportunity to make such contributions. Americans will be immeasurably poorer for it.

CONCLUSION

The district court's order granting a preliminary injunction should be affirmed.

Respectfully submitted,

/s/ *Paul W. Hughes*

PAUL W. HUGHES
MICHAEL B. KIMBERLY
MATTHEW A. WARING
McDermott Will & Emery LLP
500 North Capitol Street NW
Washington, DC 20006
(202) 756-8000

Counsel for Amici Curiae

Dated: January 16, 2020

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g), the undersigned counsel for *amici curiae* certifies that this brief:

(i) complies with the type-volume limitation of Rules 29(a)(5) and 32(a)(7)(B) because it contains 6,010 words, including footnotes and excluding the parts of the brief exempted by Rule 32(f); and

(ii) complies with the typeface requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6) because it has been prepared using Microsoft Office Word 2016 and is set in New Century Schoolbook font in a size equivalent to 14 points or larger.

Dated: January 16, 2020 /s/ *Paul W. Hughes*

CERTIFICATE OF SERVICE

I hereby certify that that on January 16, 2020, the foregoing brief was served on all parties or their counsel of record through the CM/ECF system.

Dated: January 16, 2020 /s/ *Paul W. Hughes*

ADDENDUMS

Addendum A: List of *Amicus Curiae*

- 5300 N 33rd St LLC
- Ad Lightning, Inc.
- AdaptiLab, Inc.
- Amper Music, Inc.
- Attunely, Inc.
- Ave 81, Inc. d/b/a Drip
- Banzai International, Inc.
- Betterment
- Bicgen, Inc.
- BigBox VR
- BillFixers, LLC
- Boundless Immigration Inc.
- BreezyPrint Corporation
- BrewBike, Inc.
- Broadvoice
- Business Forward
- Carbitex, Inc.
- Cedar Grove Investments, LLC
- Compete America Coalition
- Cross Cultural Communications, LLC
- Decent

- Development Seed
- Digital4Startups, Inc.
- Easterly Research
- Educative
- Edwin Technology
- Firepit, Inc.
- Flybridge Capital Partners
- Flying Fish Partners
- Food Physics and Body Dynamics LLC
- Forefront Venture Partners
- Founders' Co-op
- Foundry Group
- FWD.us
- GitHub, Inc.
- Glow
- Gradient Technologies, Inc.
- Gramercy Fund LLC
- Greenhouse Software, Inc.
- Havenly, Inc.
- Help Scout PBC
- HP Inc.
- Inspo Network

- JAND, Inc. d/b/a Warby Parker
- Levi Strauss & Co.
- LinkedIn Corporation
- Loftium, Inc.
- Looking Glass Factory, Inc.
- Lorem Technologies, Inc.
- LumaTax, Inc.
- Mapbox, Inc.
- Mesh Studios, LLC
- Microsoft Corporation
- Minneapolis Regional Chamber of Commerce
- Motiva AI
- Moz
- MRN Ltd.
- Mysteries, Inc.
- Nava Public Benefit Corporation
- NewsCred, Inc.
- NextStep
- Nix Hydra Games
- Nova Credit
- NW Property Resources, LLC
- OfferUp

- One Way Ventures
- Onfleet, Inc.
- Owlet Baby Care
- Patreon, Inc.
- Pearl Immigration
- Persona, LLC
- PhotoFinishPlus
- Pi Inc. d/b/a Spansive
- Pioneer Square Labs
- Plickers, Inc.
- Postmates
- Protanos Bakery, LLC
- Qoins Technologies, Inc.
- Rallyware, Inc.
- Reddit, Inc.
- Redfin
- Remarkably
- Remitly
- Sentinel Healthcare
- ShareProgress, Inc.
- Shutterstock, Inc.
- SingleFile Technologies, Inc.

- SlidesUp
- Sociometric Solutions d/b/a Humanyze
- SquareOffs
- Strava, Inc.
- SunFarmer
- Suplari, Inc.
- Taunt, Inc.
- TeamSnap, Inc.
- The Seven Bridges Group
- Twitter
- UAV Coach
- Vibrissa, Inc.
- West Coast Surgical
- Woot Math, Inc.
- Wynd Technologies, Inc.
- Yext, Inc.
- Zendesk, Inc.

Addendum B: Corporate Disclosure Statements

5300 N 33rd St LLC is headquartered in Nashotah, Wisconsin. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Ad Lightning, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

AdaptiLab, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Amper Music, Inc. is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Attunely, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Ave 81, Inc. d/b/a Drip is headquartered in Minneapolis, Minnesota. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Banzai International, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Betterment is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Bicgen, Inc. is headquartered in Arlington Heights, Illinois. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

BillFixers, LLC is headquartered in Nashville, Tennessee. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

BigBox VR is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Boundless Immigration Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

BreezyPrint Corporation is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

BrewBike, Inc. is headquartered in Austin, Texas. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Broadvoice is a subsidiary of Teutonic Holdings, LLC. It is headquartered in Northridge, California, and no publicly-traded company owns 10% or more of its stock.

Business Forward is headquartered in Washington, DC. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Carbitex, Inc. is headquartered in Kennewick, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Cedar Grove Investments, LLC is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Compete America Coalition is headquartered in Washington, D.C. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Cross Cultural Communications, LLC is headquartered in Columbus, Ohio. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Decent is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Development Seed is headquartered in Washington, D.C. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Digital4Startups, Inc. is headquartered in Chicago, Illinois. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Easterly Research is headquartered in Warminster, Pennsylvania. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Educative is headquartered in Bellevue, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Edwin Technology is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Firepit, Inc. is headquartered in Austin, Texas. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Flybridge Capital Partners is headquartered in Boston, Massachusetts. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Flying Fish Partners is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Food Physics and Body Dynamics LLC, is headquartered in Castle Hayne, North Carolina. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Forefront Venture Partners is headquartered in Boca Raton, Florida. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Founders' Co-op is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Foundry Group is headquartered in Boulder, Colorado. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

FWD.us is headquartered in Washington, D.C. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

GitHub, Inc. is headquartered in San Francisco, California. Its parent company is Microsoft Corporation, a publicly-traded company.

Glow is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Gradient Technologies, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Gramercy Fund LLC is headquartered in Minneapolis, Minnesota. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Greenhouse Software, Inc. is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Havenly, Inc. is headquartered in Denver, Colorado. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Help Scout PBC is headquartered in Boston, Massachusetts. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

HP Inc. is headquartered in Palo Alto, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Inspo Network is a subsidiary of Inspo Network. It is headquartered in Seattle, Washington, and no publicly-traded company owns 10% or more of its stock.

JAND, Inc. d/b/a Warby Parker is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Levi Strauss & Co. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

LinkedIn Corporation is headquartered in Sunnyvale, California. Its parent company is Microsoft Corporation, a publicly-traded company.

Loftium, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Looking Glass Factory, Inc. is headquartered in Brooklyn, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Lorem Technologies, Inc. is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

LumaTax, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Mapbox, Inc. is headquartered in Washington, D.C. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Mesh Studios, LLC is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Microsoft Corporation is headquartered in Redmond, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Minneapolis Regional Chamber of Commerce is headquartered in Minneapolis, Minnesota. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Motiva AI is headquartered in Reno, Nevada. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Moz is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

MRN Ltd. is headquartered in Cleveland, Ohio. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Mysteries, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Nava Public Benefit Corporation is headquartered in Washington, D.C. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

NewsCred, Inc. is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

NextStep is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Nix Hydra Games is headquartered in Los Angeles, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Nova Credit is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

NW Property Resources, LLC is headquartered in Portland, Oregon. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

OfferUp is headquartered in Bellevue, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

One Way Ventures is headquartered in Boston, Massachusetts. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Onfleet, Inc. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Owlet Baby Care is headquartered in Lehi, Utah. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Patreon, Inc. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Pearl Immigration is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Persona, LLC is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

PhotoFinishPlus is headquartered in Burlington, Wisconsin. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

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Pioneer Square Labs is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Plickers, Inc. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Postmates is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Protanos Bakery, LLC is headquartered in Hollywood, Florida. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Qoins Technologies, Inc. is headquartered in Atlanta, Georgia. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Rallyware, Inc. is headquartered in Mountain View, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Reddit, Inc. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Redfin is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Remarkably is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

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Sentinel Healthcare is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

ShareProgress, Inc. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Shutterstock, Inc. is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

SingleFile Technologies, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

SlidesUp is headquartered in Boston, Massachusetts. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Sociometric Solutions d/b/a Humanyze is headquartered in Boston, Massachusetts. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

SquareOffs is headquartered in Kansas City, Kansas. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Strava, Inc. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

SunFarmer is headquartered in Brooklyn, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Suplari, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Taunt, Inc. is headquartered in Seattle, Washington. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

TeamSnap, Inc. is headquartered in Boulder, Colorado. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

The Seven Bridges Group is a subsidiary of TSBG. It is headquartered in New York, New York, and no publicly-traded company owns 10% or more of its stock.

Twitter is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

UAV Coach is headquartered in Nashville, Tennessee. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Vibrissa, Inc. is headquartered in Boulder, Colorado. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

West Coast Surgical is headquartered in Oregon City, Oregon. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Woot Math, Inc. is headquartered in Boulder, Colorado. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Wynd Technologies, Inc. is headquartered in San Jose, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Yext, Inc. is headquartered in New York, New York. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.

Zendesk, Inc. is headquartered in San Francisco, California. It has no parent companies, and no publicly-traded company owns 10% or more of its stock.