

African Communities Together, et al.

vs.

Markwayne Mullin, et al.

District of Massachusetts Civil No. 26-cv-11201-ADB

Exhibit 1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AFRICAN COMMUNITIES TOGETHER,
PARTNERSHIP FOR THE ADVANCEMENT
OF NEW AMERICANS, ALEXANDER DOE,
MOHAMED DOE, TYSON DOE, AND NINA
DOE, on behalf of themselves and others
similarly situated,

Plaintiffs,

vs.

MARKWAYNE MULLIN, in his official capacity as
Secretary of the U.S. Department of Homeland
Security; U.S. DEPARTMENT OF HOMELAND
SECURITY; U.S. CITIZENSHIP AND
IMMIGRATION SERVICES; and UNITED
STATES OF AMERICA,

Defendants.

CIVIL ACTION
NO. 26-cv-11201-ADB

**BRIEF OF THE COMMONWEALTH OF MASSACHUSETTS AND THE STATES OF
MINNESOTA, CALIFORNIA, NEW YORK, DELAWARE, HAWAII, ILLINOIS,
MAINE, MARYLAND, MICHIGAN, NEVADA, NEW JERSEY, OREGON, VERMONT,
WASHINGTON, AND WASHINGTON, D.C. AS AMICI CURIAE IN SUPPORT OF
PLAINTIFFS' MOTION TO POSTPONE EFFECTIVE DATE OF AGENCY ACTION**

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INTRODUCTION

In November 2025, President Trump posted on social media that he was “hereby terminating, effective immediately, the Temporary Protected Status (TPS Program) for Somalis in Minnesota.”¹ He went on to claim, without support, that “Somali gangs are terrorizing the people of that great State, and BILLIONS of Dollars are missing. Send them back to where they came from. It’s OVER!”² Since then, President Trump has repeatedly vilified Somali immigrants and claimed they have destroyed Minnesota, home to the largest Somali population in the United States. Top administration officials have followed the President’s lead. In January 2026, Kristi Noem, then Secretary of Homeland Security, announced she was terminating Somalia’s TPS designation in part because “permitting Somali nationals to remain temporarily in the United States would be contrary to the national interest of the United States.”³

Nothing could be further from the truth. Somali immigrants make vital contributions to the Amici States, including in Minnesota. Somali TPS holders are not burdens on the Amici States; they are valued neighbors, homeowners, coworkers, teachers, students, entrepreneurs, caregivers, construction workers, union members, and parents. Stripping them of legal status would harm the Amici States’ residents, economies, and public health and safety. The public interest weighs heavily in favor of granting Plaintiffs’ requested relief and postponing the termination pending adjudication of Plaintiffs’ claims.

¹ Donald J. Trump (@realDonaldTrump), Truth Soc. (Nov. 21, 2025, at 8:37 PM), <https://truthsocial.com/@realDonaldTrump/posts/115590786862216464>.

² *Id.*

³ Termination of the Designation of Somalia for Temporary Protected Status, 91 Fed. Reg. 1,547, 1,550 (Jan. 14, 2026).

BACKGROUND AND INTEREST OF AMICI STATES

In 1991, Acting Attorney General William P. Barr designated Somalia for TPS due to “extraordinary and temporary conditions.”⁴ Civil war has raged in Somalia for the ensuing thirty-five years, resulting in hundreds of thousands of deaths, child soldiers, extrajudicial killings, sexual and gender-based violence, and other human rights abuses.⁵ As Secretary Noem acknowledged in the termination notice, “the country descended into chaos, and a humanitarian crisis of staggering proportions began to unfold.”⁶ Among other things, “approximately 3.4 million people in Somalia are currently experiencing high levels of acute food security.”⁷ Accordingly, Somalia’s TPS designation has been extended or redesignated several times and has continually been in place since 1991.⁸

Over ninety thousand Somali immigrants have sought safety in the United States.⁹ Lately, though, Somali communities have come under attack by another group: our leaders in Washington. President Trump has repeatedly engaged in nakedly racist attacks on Somali immigrants, calling

⁴ Designation of Nationals of Somalia for Temporary Protected Status, 56 Fed. Reg. 46,804 (Sep. 16, 1991).

⁵ John Norris & Bronwyn Bruton, Ctr. for Am. Progress & One Earth Future Found., *Twenty Years of Collapse and Counting: The Cost of Failure in Somalia* 10–11 (2011), <https://cdn.americanprogress.org/wp-content/uploads/issues/2011/09/pdf/somalia.pdf>; *Extension and Redesignation of Somalia for Temporary Protected Status*, 88 Fed. Reg. 15,434 (March 13, 2023); *Extension and Redesignation of Somalia for Temporary Protected Status*, 86 Fed. Reg. 38,744 (July 22, 2021); Office of the U.N. High Comm’r for Hum. Rights & U.N. Assistance Mission in Somalia, *Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Som.* 1 (2017), <https://www.ohchr.org/sites/default/files/Documents/Countries/SO/ReportProtectionofCivilians.pdf>.

⁶ 91 Fed. Reg. at 1,549 (quoting U.S. Dep’t of State, Office of the Historian, *Somalia, 1991–1993*, <https://history.state.gov/milestones/1993-2000/somalia>).

⁷ *Id.* (quoting United Nations, *Daily Press Briefing by the Office of the Spokesperson for the Secretary-General*, Nov. 13, 2025, <https://press.un.org/en/2025/db251113.doc.htm>).

⁸ *Id.* at 1,547–48.

⁹ Migration Pol’y Inst., *U.S. Immigrant Population by State and County (2020–2024)*, <https://www.migrationpolicy.org/programs/data-hub/charts/us-immigrant-population-state-and-county>.

them “garbage”¹⁰ and “stupid people” with “low IQs” “from a crooked country, disgusting country, one of the worst countries in the world.”¹¹

In December 2025, the Department of Homeland Security launched an intensive immigration enforcement operation in Minnesota targeting Somali immigrants.¹² “Operation Metro Surge” soon became the largest enforcement operation in U.S. history resulting in, among other things, widespread constitutional violations,¹³ the arrest and detention of children as young as five years old,¹⁴ and the killings of two United States citizens in the streets of Minneapolis.¹⁵ Against the backdrop of this raid targeting Somalis, then-Secretary Noem announced in January 2026 that Somalia’s TPS designation would be cancelled effective March 17, 2026.¹⁶

¹⁰ Zolan Kanno-Youngs & Shawn McCreesh, *Trump Calls Somalis ‘Garbage’ He Doesn’t Want in the Country*, N.Y. Times, Dec. 2, 2025, <https://www.nytimes.com/2025/12/02/us/politics/trump-somalia.html>.

¹¹ Aaron Rupar (@atrupar), X (Mar. 26, 2026 at 10:53 AM), <https://x.com/atrupar/status/2037196219349426178?s=20>; see also Elliot Hughes, *Trump Social Media Posts Showing Muslim Shoppers at Mall of America Denounced by CAIR as Racist*, Minn. Star Tribune, Apr. 6, 2026, <https://www.startribune.com/trump-social-media-posts-showing-muslim-shoppers-at-mall-of-america-denounced-by-cair-as-racist/601661931>.

¹² Hameed Aleaziz, et al., *New ICE Operation Is Said to Target Somali Migrants in Twin Cities*, N.Y. Times, Dec. 2, 2025, <https://www.nytimes.com/2025/12/02/us/politics/ice-somali-migrants-minneapolis-st-paul.html>.

¹³ See, e.g., *Tincher v. Noem*, --- F. Supp. 3d ---, 2026 WL 125375 (D. Minn. Jan. 16, 2026) (finding Plaintiffs likely to succeed on claims of First Amendment retaliation and Fourth Amendment violations), *injunction dissolved*, 2026 WL 948946 (D. Minn. Apr. 8, 2026); *Hussen v. Noem*, --- F. Supp. 3d ---, 2026 WL 657936 (D. Minn. Mar. 9, 2026) (concluding immigration agents engaged in racial profiling).

¹⁴ Elizabeth Shockman, *ICE Detains 5-Year-old Minnesota Boy; School Leader Says Agents Used Him as ‘Bait’*, MPR News, Jan. 21, 2026, <https://www.mprnews.org/story/2026/01/21/ice-detains-5year-old-minnesota-boy-lawyer-says-agents-used-him-as-bait>.

¹⁵ Emmy Martin et al., *ICE Agent Fatally Shoots Woman in South Minneapolis*, Minn. Star Tribune, Jan. 7, 2026, <https://www.startribune.com/ice-agent-fatally-shoots-woman-in-south-minneapolis/601559744>; Jeff Day et al., *Alex Pretti Identified as Man Fatally Shot by Federal Officers in Minneapolis*, Minn. Star Tribune, Jan. 24, 2026, <https://www.startribune.com/alex-pretti-identified-as-man-fatally-shot-by-federal-officers-in-minneapolis/601570109>.

¹⁶ 91 Fed. Reg. 1,547.

The Amici States are home to at least 53,000 Somali immigrants, many of whom are Somali TPS holders.¹⁷ Minnesota alone is home to 37,500 Somali immigrants, 40 percent of the national total.¹⁸ These immigrants and their families have made meaningful contributions to our States, and our States have worked hard to welcome them. For example, California historically allocated \$10 million annually to provide legal services to TPS holders and continues to dedicate resources to this important community through its funding for the immigrant community as a whole—including support for legal services, education, and technical assistance to community organizations.¹⁹ Recognizing that obtaining a work authorization through the TPS program is a valuable avenue to self-sufficiency, Massachusetts arranged for clinics in Massachusetts’s emergency assistance shelters to assist immigrants in completing TPS applications.²⁰ New York has also dedicated substantial resources and support to TPS holders, including by assisting with work authorization applications and connecting TPS holders to employers.²¹ And Minnesota funds organizations that advocate for and provide legal services to immigrants.²²

In short, the Amici States are proud to invest in TPS holders, including individuals from Somalia, and have a critical interest in ensuring that their legal status is not unlawfully revoked.

¹⁷ Migration Pol’y Inst., *supra* note 9.

¹⁸ *Id.*

¹⁹ Cal. Legis. Analyst’s Off., *The 2024–2025 Budget: Department of Social Services Immigration and Equity Programs* (Mar. 15, 2024), <https://lao.ca.gov/Publications/Report/4885>.

²⁰ See *MIRA Partnering with State to Offer TPS Clinics for Emergency Assistance Shelter Residents*, Mass. Immigrant & Refugee Advoc. Coal., (Sept. 5, 2024), <https://miracoalition.org/news/mira-partnering-with-state-to-offer-tps-clinics-for-emergency-assistance-shelter-residents/>.

²¹ See, e.g., *Governor Hochul, Mayor Adams Announce \$38 Million for Asylum Seeker Legal Services and Case Management*, Governor’s Office of N.Y. (Oct. 3, 2023), <https://www.governor.ny.gov/news/governor-hochul-mayor-adams-announce-38-million-asylum-seeker-legal-services-and-case>.

²² Minn. Sup. Ct. Legal Serv. Advisory Comm., *Minnesota Supreme Court Legal Services Advisory Committee FY24–FY25 Annual Report* 11 (2025), <https://bocla.us/all-documents/reports/21-lsac-annual-report-fy24-25/file>.

Moreover, the Amici States have a strong interest in ensuring that federal agencies refrain from actions that—like those at issue in this matter—are arbitrary and capricious, discriminatory, and unconstitutional. And, in service of these interests, the Amici States have previously filed amicus briefs in other cases in support of plaintiffs challenging unlawful attempts to terminate or vacate already issued TPS designations.²³ District courts have relied heavily on Amici States’ briefs in support of decisions postponing the effective dates of DHS’s purported terminations of TPS designations.²⁴

ARGUMENT

THE PUBLIC INTEREST FAVORS PLAINTIFFS BECAUSE DEFENDANTS’ ACTIONS WOULD INFLICT IRREPARABLE HARM ON FAMILIES AND THE AMICI STATES.

The Amici States support Plaintiffs’ motion to postpone the effective date of the agency action terminating Somalia’s TPS. We write to highlight some of the significant public interests at stake. *See Winter v. Natural Res. Def. Council*, 555 U.S. 7, 20 (2008) (courts must consider the public interest when determining whether to grant injunctive relief); *Nat’l TPS Alliance v. Noem*, 773 F. Supp. 3d 807, 835 (N.D. Cal. 2025) (court should weigh preliminary injunction factors in deciding a § 705 motion).

In cases like this one that affect nonparties (including the Amici States), the Court must “inquire whether there are public interests beyond the private interests of the litigants that would

²³ See Brief for States of N.Y. et al., *Haitian Evangelical Clergy Ass’n v. Trump*, No. 25-cv-01464-BMC (E.D.N.Y. Apr. 28, 2025), ECF No. 43; Brief of the Commonwealth of Mass. et al., *Haitian-Ams. United Inc. v. Trump*, No. 1:25-cv-10498 (D. Mass. Mar. 26, 2025), ECF No. 33; Brief for the States of Cal. et al., *Nat’l TPS All. v. Noem*, No. 25-cv-1766 (N.D. Cal. Mar. 7, 2025), ECF No. 62; Brief for States of N.Y. et al., *Ramos v. Wolf*, 59 F.4th 1010 (9th Cir. 2023) (No. 18-16981), ECF No. 168; Amicus Curiae Brief of the States of Cal. et al., *Ramos v. Wolf*, 975 F.3d 872 (9th Cir. 2020) (No. 18-16981), ECF No. 35; Brief of Amici States Cal. et al., *Ramos v. Nielsen*, 336 F. Supp. 3d 1075 (N.D. Cal. 2018) (No. 18-cv-01554), ECF No. 103.

²⁴ See *Miot v. Trump*, --- F. Supp. 3d ---, 2026 WL 266413, at *37–38 (D.D.C. Feb. 2, 2026), *cert. granted*, --- S. Ct. ---, 2026 WL 731087 (Mar. 16, 2026); *Nat’l TPS Alliance v. Noem*, 773 F. Supp. 3d 807, 836–37, 840–44, 865 (N.D. Cal. 2025), *aff’d*, 150 F.4th 1000 (9th Cir. 2025).

be affected by the issuance or denial of injunctive relief.” *Everett J. Prescott, Inc. v. Ross*, 383 F. Supp. 2d 180, 193 (D. Me. 2005) (citing *United States v. Zenon*, 711 F.2d 476 (1st Cir. 1983)). Amici States and their residents will experience many such harms, including impacts to families and communities torn apart;²⁵ economic harms to Amici States and their residents;²⁶ increased public health care expenses;²⁷ public health harms;²⁸ public safety harms;²⁹ and impacts to public services.³⁰ All of these cognizable harms would come to pass and affect Amici States and the Nation at large if this Court allows the TPS termination to take effect.

A. Terminating Somalia’s TPS designation would separate families, devastate children, and fracture the Amici States’ communities and schools.

The families of Somali TPS holders, many of whom live in the Amici States, will be profoundly harmed if Defendants’ action takes effect. As of January 2026, there are 2,471 Somali nationals in the United States under TPS and another 1,383 with pending applications.³¹ Many

²⁵ See *Hernandez v. Sessions*, 872 F.3d 976, 996 (9th Cir. 2017) (citing “indirect hardship to [plaintiffs’] friends and family members,” including harm to children who “had to receive counseling because of the trauma of their government-compelled separation from their father” (quotation marks omitted)).

²⁶ See *Nat’l Ass’n of Mfrs. v. U.S. Dep’t of Homeland Sec.*, 491 F. Supp. 3d 549, 571 (N.D. Cal. 2020) (enjoining limitation on certain nonimmigrant work visas and noting harms to “hundreds of thousands of American businesses of all sizes and economic sectors”).

²⁷ See *Golden Gate Rest. Ass’n v. City & Cnty. of San Francisco*, 512 F.3d 1112, 1126 (9th Cir. 2008) (citing municipality’s “overall health care expenses”).

²⁸ See *World Gym, Inc. v. Baker*, 474 F. Supp. 3d 426, 434 (D. Mass. 2020) (recognizing public interest in preserving public health); see also *City & Cnty. of San Francisco v. U.S. Citizenship & Immigr. Servs.*, 981 F.3d 742, 762 (9th Cir. 2020) (affirming injunction against DHS’s redefinition of “public charge,” acknowledging that the rule would have “adverse effects on the health and welfare of the immigrant as well as general population”).

²⁹ See *Baillargeon v. CSX Transp. Corp.*, 463 F. Supp. 3d 76, 86 (D. Mass. 2020) (examining public interest in access to emergency services).

³⁰ See *City & Cnty. of San Francisco v. Trump*, 897 F.3d 1225, 1244 (9th Cir. 2018) (“[T]he public interest cannot be disserved by an injunction that brings clarity to all parties and to citizens dependent on public services.”).

³¹ Luke Barr et al., *DHS Announces Termination of Protected Status for Somalis After Group Targeted by Trump*, ABC News, Jan. 13, 2026, <https://abcnews.com/Politics/dhs-announces-termination-protected-status-somalis-after-group/story?id=129167236>.

have children, other family, or household members who are U.S. citizens. Terminating TPS would create extreme hardship for these households, withdrawing their members' work authorizations and exposing them to deportation.

Compelling TPS holders to return en masse to Somalia would pose substantial dangers to many members of the Amici States' communities. In purporting to terminate Somalia's TPS designation, Secretary Noem did not claim Somalia as a whole was safe but that "there are areas within Somalia where Somali nationals may live in safety."³² As Plaintiffs have shown, that determination is undercut by the very sources that Secretary Noem cites. (*See* Compl. ¶¶ 186–92.)

The rest of the Executive Branch does not share Secretary Noem's opinion. The U.S. State Department has issued its highest travel advisory for Somalia (Level 4: Do Not Travel), advising that Americans should not travel to Somalia "due to crime, terrorism, civil unrest, health, kidnapping, piracy, and lack of availability of routine consular services," noting "[v]iolent crime is common throughout Somalia, including kidnapping and murder," "[i]llegal roadblocks are widespread," and "[t]errorists continue to plot kidnappings, bombings, and other attacks" and "may attack with little or no warning[.]"³³ Conditions are so dangerous that "U.S. government employees in Somalia are prohibited from traveling outside the Mogadishu International Airport complex where the U.S. Embassy is located."³⁴ The Federal Aviation Administration prohibits certain flight operations over Somali airspace due to "the poor security environment and fragile governance structure in Somalia" and the threat posed by an extremist group that has

demonstrated an intent and capabilities to target civil aviation operations in the territory and airspace of Somalia at altitudes below FL260 through a variety of

³² 91 Fed. Reg. at 1,549.

³³ *Somalia Travel Advisory*, U.S. Dep't of State (May 14, 2025), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/somalia-travel-advisory.html>.

³⁴ *Id.*

means, including the use of an insider to smuggle a concealed improvised explosive device (IED) onto a civil aircraft, use of anti-aircraft-capable weapons, and direct and indirect attacks on Somali airports.³⁵

And just last year President Trump himself continued the declaration of a national emergency with respect to Somalia due to “the deterioration of the security situation and the persistence of violence in Somalia; acts of piracy and armed robbery at sea off the coast of Somalia, which have been the subject of United Nations Security Council resolutions; and violations of the arms embargo imposed by the United Nations Security Council.”³⁶

Revoking Somalia’s TPS designation would present current TPS holders—particularly those with U.S. citizen children, many of whom live in the Amici States—with an agonizing choice. TPS-holder parents would be forced to choose between (1) returning to Somalia alone, leaving their children behind; (2) taking their U.S. citizen children with them to a dangerous country that the children do not know; or (3) staying in the United States without authorization and living with significant fear and uncertainty, knowing they cannot work legally and could be forcibly removed to Somalia at any time.

This harrowing dynamic would harm the mental health and well-being of U.S.-citizen children in the Amici States.³⁷ Children of undocumented parents in the United States frequently experience persistent anxiety from fear that a family member may be deported.³⁸ Unfortunately, fears of immigration enforcement are well grounded for Somalis regardless of their citizenship or

³⁵ Prohibition Against Certain Flights in the Territory and Airspace of Somalia, 87 Fed. Reg. 79,239, 79,240 (Dec. 27, 2022) (codified at 14 C.F.R p. 91).

³⁶ Continuation of the National Emergency With Respect to Somalia, 90 Fed. Reg. 15,391 (Apr. 8, 2025).

³⁷ See *U.S. Citizen Children Impacted by Immigration Enforcement*, Am. Immigr. Council (June 24, 2021), <https://www.americanimmigrationcouncil.org/fact-sheet/us-citizen-children-impacted-immigration-enforcement/>.

³⁸ Ronald B. Cox Jr. et al., *Validation of the Family Fear of Deportation Scale for Youth*, 72 *Fam. Rels.* 734, 736 (2023).

immigration status. A federal district court in Minnesota recently found “clear” evidence that during Operation Metro Surge, DHS adopted a policy permitting immigration officers to stop people “based on ethnicity or race without reasonable suspicion that the individuals were violating immigration laws” and to arrest people “without probable cause that the arrestees were violating immigration laws[.]”³⁹ The court noted that immigration officers particularly targeted individuals who appeared Somali.⁴⁰ Fears of immigration enforcement can profoundly alter daily life. Somalis in Minnesota have reported being afraid to leave their homes, resulting in lost wages or lost jobs, missing religious services, and skipping medical appointments.⁴¹

Mental health consequences are even more severe when these fears are realized and families are forcibly separated. Parental deportation is deeply traumatic for children and linked to extreme psychological distress, anxiety, depression, post-traumatic stress disorder (PTSD), externalizing behaviors (such as aggression), and difficulties sleeping.⁴² Children of deported parents often also face financial instability, housing and food insecurity, increased school

³⁹ *Hussen*, 2026 WL 657936, at *37, *40.

⁴⁰ *Id.* at *37 (“Officers stopped Somali and Hispanic individuals without reasonable suspicion while they did not stop similarly situated nearby white individuals.”), *id.* at *43 (“In each of those cases, the stopped individual was Somali, Hispanic, or Asian.”).

⁴¹ *See, e.g.*, Sonia A. Rao & Sheila M. Eldred, *Somalis in Minnesota Are Feeling Fear This Ramadan Instead of Joy*, N.Y. Times, Feb. 22, 2026, <https://www.nytimes.com/2026/02/22/us/minnesota-somalis-ramadan-ice.html>; Rachel Leingang, *‘Somalis Are the Scapegoat’: Fear Rises as Trump Targets Minneapolis Community*, The Guardian, Dec. 11, 2025, <https://www.theguardian.com/us-news/2025/dec/11/somali-minneapolis-fear-trump-ice-deportation>.

⁴² Miguel Pinedo & Christian Escobar, *Childhood Parental Deportations, Immigration Enforcement Experiences, and Posttraumatic Stress Disorder Among US-Born Latino Adults, 2021*, 114 Am. J. Pub. Health S495, S496 (2024); *see also* Victoria D. Ojeda et al., *Deported Men’s and Father’s Perspective: The Impacts of Family Separation on Children and Families in the U.S.*, 11 *Frontiers in Psychiatry* 1, 10 (2020).

absences, and lower academic engagement.⁴³ Bullying related to immigration status is also common.⁴⁴ The effects extend into adulthood: as adults, the children of deported parents are more than twice as likely to suffer from PTSD as those who did not endure such separation.⁴⁵

These harms also affect education in the Amici States, with far-reaching and long-term consequences. Indeed, the administration's immigration policies are already deeply affecting education. The same day that immigration agents killed Renee Good in Minneapolis, they also swarmed a public high school as students were dismissed for the day, wreaking chaos as they deployed pepper spray against students and fired "short-range chemical munition."⁴⁶ Minneapolis public schools closed for the remainder of the week.⁴⁷ Area schools that remained open reported high levels of absenteeism.⁴⁸ Educators reported other interference, including "masked people in unmarked vehicles tailing, following and targeting their staff, students and families."⁴⁹ A recent

⁴³ Ojeda et al., *supra* note 42, at 7, 9–10; Ana Martinez-Donate et al., *Between the Lines: A Mixed-Methods Study on the Impacts of Parental Deportation on the Health and Well-Being of U.S. Citizen Children*, 9 J. Migration & Health 1, 5 (2024).

⁴⁴ Mallika Seshadri, *Research: Immigration Enforcement Hinders Schoolwork; Schools Offer Support*, EdSource, Feb. 16, 2024, <https://edsources.org/2024/immigration-enforcement-hinders-performance-in-school-heres-how-communities-are-helping/705983>.

⁴⁵ Pinedo & Escobar, *supra* note 42, at S501.

⁴⁶ *CBP Official Describes What Agents Say Happened at Roosevelt High School, Whipple Building*, Kare 11, Jan. 16, 2026, <https://www.kare11.com/article/news/local/ice-in-minnesota/cbp-official-describes-what-agents-say-happened-at-roosevelt-high-school-whipple-building/89-809d4315-8607-40c3-b8ba-9ffecb973c60>; *see also* Mary Klecker & Anthony Lonetree, *What Happened When Border Patrol Agents Showed Up at Minneapolis' Roosevelt High School*, Minn. Star Tribune, Jan. 10, 2026, <https://www.startribune.com/what-happened-when-border-patrol-agents-showed-up-at-minneapolis-roosevelt-high-school/601561137>.

⁴⁷ Elizabeth Shockman, *Minneapolis Schools Cancel Classes After Border Patrol Clash Disrupts Dismissal at Roosevelt*, MPR News, Jan. 8, 2026, <https://www.mprnews.org/story/2026/01/08/after-border-patrol-clash-at-roosevelt-minneapolis-schools-cancel-classes>.

⁴⁸ Elizabeth Shockman, *Schools Close, Fears Rise Among Minnesota Families, Students Amid ICE Operations*, MPR News, Jan. 9, 2026, <https://www.mprnews.org/story/2026/01/09/ice-presence-sparks-fear-for-minnesota-families-students-schools>.

⁴⁹ *Id.*

survey found a majority of *all* parents in Minneapolis with children in public K–12 schools had kept their children home from school because of fears from immigration enforcement.⁵⁰ A majority also reported that immigration enforcement had caused “moderate” to “high” levels of learning disruptions.⁵¹

The fracturing of Somali families would have far-reaching impacts on children, their families, and on the Amici States in which they live. The public interest strongly favors preserving the unity of these families.

B. Terminating Somalia’s TPS designation would damage the Amici States’ economies and workforces.

The termination of Somalia’s TPS designation would also harm economies within the Amici States, deplete workforces, and deprive Amici States and localities of tax revenue. In Minnesota, Somali immigrants pay an estimated \$228 million annually in state and local taxes and contribute roughly \$8.6 billion to the state’s economy.⁵² They also contribute to critical industries. For example, as of 2019, over 15 percent of all Somali immigrants in Minnesota worked in home health care, and Somali workers made up 11 percent of the state’s workers in animal food processing.⁵³ The Minnesota Department of Economic Development has recognized that “[w]ithout foreign-born workers,” of which Somalis are the second-largest group, “many

⁵⁰ Tom K. Wong, *Large-Scale Immigration Enforcement and Its Consequences: The Impact of Operation Metro Surge*, U.C. San Diego U.S. Immigr. Pol’y Ctr. 8 (2026), <https://usipc.ucsd.edu/publications/usipc-impact-metro-surge.pdf>.

⁵¹ *Id.*

⁵² Bruce Corrie, *Latest Data on Somali Minnesotans 2024*, Empowering Strategies, Dec. 8, 2025, <https://empoweringstrategies.org/latest-data-on-somali-minnesotans-2024/>.

⁵³ Minn. Chamber Found., *The Economic Contributions of Immigrants in Minnesota* 21 (2021), <https://www.mnchamber.com/sites/default/files/The%20Economic%20Contributions%20of%20Immigrants%20in%20Minnesota%203.23.21.pdf>.

businesses in Minnesota would not have the workers they need to operate, let alone grow and thrive.”⁵⁴

And entrepreneurship by Somali immigrants has not only boosted economies; it has revitalized communities. As a Minnesota newspaper columnist recently noted, “Somali women are starting, owning, and operating businesses that quietly stabilize neighborhoods, create jobs and circulate dollars locally.”⁵⁵ One small town in Minnesota has over 20 Somali-owned businesses in its Main Street area.⁵⁶ And Somali immigrants are widely recognized for vitalizing several Twin Cities neighborhoods.⁵⁷ Boston Mayor Michelle Wu recently celebrated and supported her city’s Somali community, noting that “[m]ore than 8,000 Somali-Americans call Greater Boston home. You cannot talk about any achievement that the City of Boston has had in safety, in jobs and economic development, in education, without talking about the Somali community that has lifted our city up.”⁵⁸

⁵⁴ Minn. Dep’t of Emp. & Econ. Dev., *Minnesota’s Office of New Americans* 6, 10 (2025), https://mn.gov/deed/assets/ona-report-2025-acc_tcm1045-701555.pdf.

⁵⁵ Ka Vang, *Vang: Somali Women Entrepreneurs Are Revving up Minnesota’s Economy*, Minn. Star Tribune, Jan. 3 2026, <https://www.startribune.com/mn-somali-community-small-business-immigration-enforcement/601555444>.

⁵⁶ Neil Giardino, *How Somali Immigrants Are Revitalizing Main Street America*, NBC News, Dec. 1, 2016, <https://www.nbcnews.com/business/business-news/how-somali-immigrants-are-breathing-new-life-sleepy-rural-towns-n690226>.

⁵⁷ See, e.g., Tim Sullivan, “*Where Would America Be Without Us?*” *A Community of Refugees Is Stunned by White House Limits*, AP News, Oct. 31, 2025, <https://apnews.com/article/trump-immigration-somalia-refugee-5ebb043e13023188cdd4e6baebd1f42c>; *Somali Fraud in Minnesota – The Tip of the Iceberg: Hearing Before the Subcomm. on Border Sec. & Immigr. of the S. Comm. on the Judiciary*, 2026 WL 447259 (Feb. 10, 2026) (testimony of Eric P. Schwartz) https://www.judiciary.senate.gov/imo/media/doc/746e7744-ca6c-6bc1-6f21-2fa6ca728c99/2026-02-10-PM_Testimony_Schwartz.pdf; Will McGrath, *In Challenging Times, Somali Teens Are Cultivating Beauty in Cedar-Riverside*, Minn. Star Tribune, Nov. 29, 2025, <https://www.startribune.com/mpls-somali-community-vegetable-flower-garden/601529443>.

⁵⁸ Michelle Wu (@Mayor Michelle Wu 吳弭), Facebook (Dec. 20, 2025 at 8:17 PM), <https://www.facebook.com/MayorWu/posts/boston-stands-in-solidarity-with-our-somali-neighbors-and-members-of-the-somali-/890767476790281/>.

As a group, TPS holders from all countries have shown high rates of entrepreneurship—14.5 percent of TPS holders are entrepreneurs, as compared with 9.3 percent of the U.S.-born workforce.⁵⁹ The 2021 TPS population included more than 38,100 entrepreneurs or self-employed workers who generated \$1.5 billion in business income.⁶⁰ In California alone, 7,800 self-employed TPS holders generated \$224.8 million in business income.⁶¹

Revoking Somalia’s TPS designation would endanger these economic contributions. Many current TPS holders would have no choice but to return to Somalia, taking their economic contributions with them. And those who remain would be stripped of their work authorization, causing them to lose their current employment and forcing them to accept lower paying “off the books” jobs. The result would be lower wages and less productivity. The average wage gap between undocumented and legal immigrants exceeds 35 percent,⁶² with particularly acute impacts for undocumented women. In California, for example, undocumented women make 58 cents for every dollar paid to all men, 44 cents for every dollar paid to white men, and 67 cents for every dollar paid to all women.⁶³ Lower wage, unauthorized employment would inevitably harm tax revenues for the Amici States.

⁵⁹ Karen Aho, *Spotlight on the Economic Contributions of TPS Holders*, Am. Immigr. Council (Oct. 23, 2023), <https://www.americanimmigrationcouncil.org/blog/economic-contributions-tps-holders/>.

⁶⁰ Am. Immigr. Council, *The Contributions of Temporary Protected Status Holders to the U.S. Economy* 4 (Sept. 2023), https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/01/contributionstemporaryprotectedstatus_0923.pdf.

⁶¹ *Id.*

⁶² See George J. Borjas & Hugh Cassidy, *The Wage Penalty to Undocumented Immigration*, 61 Lab. Econ., no. 101757, at 2 (2019).

⁶³ Alejandra Reyes-Velarde, ‘Double Disadvantage’: These California Workers’ Pay Gap Is Widest by Far, CalMatters, July 27, 2023, <https://calmatters.org/california-divide/2023/07/california-workers-2/>.

The TPS-holder community, including Somali TPS holders, includes countless dynamic contributors to the Amici States' economies. Terminating their legal status would harm state and local economies, workforces, and tax revenues.

C. Terminating Somalia's TPS designation would harm public health and increase healthcare costs.

Terminating Somalia's TPS designation would increase the Amici States' expenditures on healthcare. Ending work authorization for Somali TPS holders would deprive many of them and their families of employer-sponsored health insurance. This would increase healthcare costs, both by increasing the number of people on public health insurance and increasing public expenditures on emergency care for uninsured patients (e.g., through emergency health insurance, payments to hospitals and community health centers, and funding for public health programs).⁶⁴

And stripping legal status from Somali immigrants risks serious negative consequences for public health.⁶⁵ As courts have explained, the “[p]ublic health is served when individuals freely seek preventive care and do not stave off care until they need emergency room treatment in the midst of a health crisis.” *City of Philadelphia v. Sessions*, 280 F. Supp. 3d 579, 609 (E.D. Pa. 2017). For example, everyone benefits when residents are vaccinated or seek testing and treatment for infectious diseases.⁶⁶ But undocumented immigrants are often reluctant to seek medical

⁶⁴ See, e.g., U.S. Cong. Budget Off., *The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments* 8 (Dec. 2007); Am. Compl., Ex. 83, Decl. of Jesse M. Caplan at 1–2, *New York v. Trump*, No. 1:17-cv-05228 (E.D.N.Y. Oct. 4, 2017), ECF No. 55-83 (“Caplan Decl.”).

⁶⁵ See, e.g., App. in Supp. of Pls.’ Mot. for Provisional Relief at 789–90, *Regents of Univ. of Cal. v. U.S. Dep’t of Homeland Sec.*, No. 3:17-cv-05211 (N.D. Cal. Nov. 1, 2017), ECF No. 118-1; Caplan Decl. at 1–2; Meredith L. King, Ctr. for Am. Progress, *Immigrants in the U.S. Health Care System: Five Myths That Misinform the American Public* 7 (June 7, 2007), <https://www.americanprogress.org/article/immigrants-in-the-u-s-health-care-system/>.

⁶⁶ See, e.g., Cassandra D. Kelly-Cirino et al., *Importance of Diagnostics in Epidemic and Pandemic Preparedness*, 4 *BMJ Glob. Health*, Suppl. 2, 1, 6–7 (Jan. 29, 2019); Mark D. Perkins et al.,

treatment due to fear of detention and deportation.⁶⁷ Undocumented women are less likely to receive needed health care and preventive screenings than the general U.S. population, leading to significantly higher rates of conditions like cervical cancer, birth complications, neonatal morbidity, respiratory distress syndrome, and seizures for newborns.⁶⁸

This phenomenon is so well documented that healthcare providers often take significant steps to combat it. One clinic “placed itself right next to a Baptist church in order to prevent raids by [ICE] agents that would scare away its mostly undocumented users.”⁶⁹ During Operation Metro Surge, as medical systems experienced “cancellation and no-show rates of up to 60 percent,” healthcare providers “quietly operated informal, underground medical networks, dodging detection to care for patients at home.”⁷⁰

Diagnostic Preparedness for Infectious Disease Outbreaks, 390 *Lancet* 2211, 2211 (2017); Alejandro Portes et al., *The U.S. Health System and Immigration: An Institutional Interpretation*, 24 *Socio. F.* 487, 501–02, 506 (2009).

⁶⁷ See, e.g., Sezer Kisa & Adnan Kisa, “No Papers, No Treatment”: A Scoping Review of Challenges Faced by Undocumented Immigrants in Accessing Emergency Healthcare, 23 *Int’l J. for Equity in Health*, no. 184, at 2, 6, 8, 11 (Sept. 14, 2024); Omar Martinez et al., *Evaluating the Impact of Immigration Policies on Health Status Among Undocumented Immigrants: A Systematic Review*, 17 *J. Immigr. & Minority Health* 947, 966 (2015) (immigrants often “refrain from seeking vital services, including medical services, from any local government or private agency—even agencies unrelated to law enforcement—for fear of exposing themselves or their family members to legal sanctions or harassment”); Scott D. Rhodes et al., *The Impact of Local Immigration Enforcement Policies on the Health of Immigrant Hispanics/Latinos in the United States*, 105 *Am. J. Pub. Health* 329, 332 (Feb. 2015) (immigrants reported that they “did not access or utilize health services for which they were eligible, including preventive services,” because “[t]hey worried that . . . their lack of documentation . . . would put them at risk for detention and deportation.”).

⁶⁸ Am. Coll. of Obstetricians & Gynecologists, Comm. Op. no. 627, *Health Care for Unauthorized Immigrants*, 125 *Obstetrics & Gynecology* 755, 756 (2015); see also Am. Coll. of Obstetricians & Gynecologists, Comm. Statement no. 25, *Advocating for Safe and Equitable Obstetric and Gynecologic Care for Immigrants*, 147 *Obstetrics & Gynecology* 598, 601 (2026).

⁶⁹ Portes et al., *supra* note 66, at 506.

⁷⁰ Arthur Allen & Kate Wells, *As ICE Moved In, Minnesotans Set Up a Shadow Medical System. It’s a Lesson for Other Cities.*, KFF Health News, Mar. 5, 2026, <https://kffhealthnews.org/news/article/minneapolis-immigration-crackdown-underground->

Newly undocumented former TPS holders may also not seek treatment for their U.S. citizen children.⁷¹ Children of undocumented immigrants are often sicker when seeking emergency room care and frequently miss preventive annual exams.⁷² The results can be fatal, as where an Oklahoma child died “when his parents delayed seeking medical treatment because they feared that hospital officials would report them to ICE.”⁷³

These harms are exacerbated by the fact that the targeting of Somali immigrants has already profoundly damaged public health. In a recent survey, 40 percent of respondents in Minneapolis who needed to go to urgent care or the hospital during Operation Metro Surge reported they stayed home because of concerns about federal immigration enforcement, and 30 percent of respondents who had a regularly scheduled vaccine during the operation missed the vaccine out of fears of immigration enforcement.⁷⁴ One physician reported her clinics were like “ghost towns” and that patients with high-risk pregnancies were refusing medical care and insisting on home births out of fear of immigration enforcement.⁷⁵ A physician assistant in Minnesota reported that one patient

medical-care-networks/; see also Decl. of Darcie M. Boschee ¶¶ 9d–f, 9j, *Minnesota v. Noem*, No. 26-cv-00190 (KMM/DJF) (D. Minn.), ECF No. 79 (“Boschee Decl.”) (describing challenges for providers attempting to provide in-home medical care during Operation Metro Surge).

⁷¹ See Lila Flavin et al., *Medical Expenditures on and by Immigrant Populations in the United States: A Systematic Review*, 48 Int’l J. Health Servs. 601, 617–18 (2018).

⁷² See King, *supra* note 65, at 5; Katherine Yun et al., *Parental Immigration Status Is Associated with Children’s Health Care Utilization: Findings from the 2003 New Immigrant Survey of U.S. Legal Permanent Residents*, 17 Maternal & Child Health J. 1913, 1916–19 (2013).

⁷³ Elizabeth M. McCormick, *Federal Anti-Sanctuary Law: A Failed Approach to Immigration Enforcement and a Poor Substitute for Real Reform*, 20 Lewis & Clark L. Rev. 165, 199 (2016).

⁷⁴ Wong, *supra* note 50, at 9; see also *Minnesota v. Noem*, --- F. Supp. 3d ---, 2026 WL 253619, at *3 (D. Minn. Jan. 31, 2026) (“Operation Metro Surge has impacted the provision of healthcare, as patients have canceled or delayed critical appointments out of fear of leaving their homes, resulting in preventable medical complications.”).

⁷⁵ Boschee Decl. ¶ 9.

who declined to see a specialist out of a fear of ICE ended up undergoing an amputation that likely would not have been needed had the patient received more timely care.⁷⁶

Because terminating Somalia’s TPS designation would strip status from a significant population of immigrants in the Amici States, raise healthcare costs, and pose grave risks to public health, the public interest weighs in favor of postponement.

D. Terminating Somalia’s TPS designation would harm public safety.

Because TPS holders and their families have built lives in the United States, some may stay even if Somalia’s TPS designation is terminated. But undocumented individuals are less likely to report crime—even when they are victims—if they “fear that [officials] will ask . . . about their immigration status” and increase their perceived risk of being removed.⁷⁷ Fear of removal, including removal of a family or community member, makes victims and witnesses reluctant to come forward, to testify in court, and even to seek safety in a domestic violence shelter.⁷⁸ Public safety suffers when law enforcement is unable to obtain evidence and witness cooperation.⁷⁹

Contrary to unsubstantiated contentions, recent arrivals of immigrants (including Somalis) have not led to any “crime wave.”⁸⁰ Moreover, immigrants must meet specified criteria to obtain

⁷⁶ *Id.* ¶ 7.

⁷⁷ Nik Theodore, Dep’t of Urb. Plan.& Pol’y, Univ. of Ill. at Chi., *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement* 14 (May 2013).

⁷⁸ See, e.g., James Queally, *Fearing Deportation, Many Domestic Violence Victims Are Steering Clear of Police and Courts*, L.A. Times, Oct. 9, 2017, <https://www.latimes.com/local/lanow/la-me-ln-undocumented-crime-reporting-20171009-story.html>.

⁷⁹ See, e.g., Tom K. Wong, Ctr. for Am. Progress, *The Effects of Sanctuary Policies on Crime and the Economy* (Jan. 26, 2017), <https://www.americanprogress.org/article/the-effects-of-sanctuary-policies-on-crime-and-the-economy/> (sanctuary counties have lower crime rates than comparable nonsanctuary counties); see also Queally, *supra* note 78 (quoting former San Francisco District Attorney George Gascón’s concern that “severe injury or homicide” can result when domestic violence is unreported).

⁸⁰ See, e.g., Ted Hesson & Mica Rosenberg, *Explainer: Trump Says Migrants Are Fueling Violent Crime. Here Is What the Research Shows*, Reuters, Apr. 11, 2024,

TPS, including completing screenings for criminal history and background checks.⁸¹ And conviction for certain criminal offenses can also trigger loss of TPS status. *See* 8 C.F.R. §§ 244.14(a)(1), 244.4(a).

Terminating Somalia's TPS designation would pose challenges to jurisdictions around the country in enforcing their criminal codes and protecting public safety. The Amici States' interests in maintaining public order weigh heavily in favor of granting a postponement.

CONCLUSION

Somali immigrants are vital contributors to the Amici States, which would be greatly harmed if Somalia's TPS designation were cancelled. Because the public interest weighs heavily in Plaintiffs' favor, the motion to postpone should be granted.

Respectfully submitted,

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<https://www.reuters.com/world/us/trump-focuses-migrants-crime-here-is-what-research-shows-2024-04-11/>; Maria Cramer et al., *'Migrant Crime Wave' Not Supported by Data, Despite High-Profile Cases*, N.Y. Times, Feb. 15, 2024, <https://www.nytimes.com/2024/02/15/nyregion/migrants-crime-nyc.html>.

⁸¹ *See* Verónica Egui Brito & Syra Ortiz Blanes, *In a Few Weeks, Hundreds of Thousands of Venezuelans Will Lose TPS. What You Need to Know*, Miami Herald, Feb. 13, 2025, <https://www.miamiherald.com/news/local/immigration/article300049004.html>.

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CERTIFICATE OF SERVICE

I, Tasha J. Bahal, certify that I have on this day, April 16, 2026, served the foregoing document upon all parties of record, by electronically filing to all CM/ECF-registered parties and by sending a copy, first class mail, postage prepaid to any unregistered parties.

/s/ Tasha J. Bahal
TASHA J. BAHAL