IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

CASA, INC.,

Plaintiff,

v.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security, & UNITED STATES DEPARTMENT OF HOMELAND SECURITY,

Defendants.

Case No. 8:25-cv-1484

COMBINED REPLY IN SUPPORT OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT OR A STAY OF AGENCY ACTION AND OPPOSITION TO DEFENDANTS' CROSS-MOTION TO DISMISS OR FOR PARTIAL SUMMARY JUDGMENT

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES i

INTRODUCTION 1

ARGUMENT 2

I. This Court Can Review CASA's Claims 2

A. Section 1254a(b)(5) Does Not Prohibit Review of CASA's Claims 2

B. Section 1252(f)(1) Does Not Prevent this Court from Granting Relief 7

II. This Court Should Grant Summary Judgment on CASA's Procedural Claims 11

III. This Court Should Grant Summary Judgment on CASA's Arbitrary and Capricious Claims 14

IV. In the Alternative, this Court Should Postpone the Effective Date of the Terminations of Afghanistan's and Cameroon's TPS Designations 19

A. Afghan and Cameroonian TPS Holders Face Irreparable Harm 19

B. Nonbinding and Unreasoned Supreme Court Stay Decisions in Unrelated Cases Do Not Establish That the Balance of the Equities Favor Defendants 22

C. CASA's Requested Relief Is Limited to What the APA Expressly Permits 23

CONCLUSION 25

TABLE OF AUTHORITIES

Page(s)

Cases

Al Otro Lado v. Exec. Off. for Immigr. Rev.,
___ F.4th ____, Nos. 22-55988, 22-56036, 2024 WL 5692756 (9th Cir. May 14, 2025)..... 10

Biden v. Texas,
597 U.S. 785 (2022)..... 9

Brito v. Garland,
22 F.4th 240 (1st Cir. 2021)..... 9, 10

Career Colls. & Schs. of Tex. v. U.S. Dep't of Educ.,
98 F.4th 220 (5th Cir. 2024)), *cert. granted on unrelated question*,
145 S. Ct. 1039 (2025) (Mem.)..... 24

CASA de Maryland v. Wolf,
486 F. Supp. 3d 928 (D. Md. 2020), *order dissolved*,
2023 WL 3547497 (D. Md. May 18, 2023)..... 20, 24

CASA de Maryland, Inc. v. Trump,
355 F. Supp. 3d 307, (D. Md. 2018)..... 4, 6

CASA de Maryland, Inc. v. Trump,
971 F.3d 220 (4th Cir. 2020), *vacated for reh'g en banc*,
981 F.3d 311 (2020) (dismissed Mar. 11, 2021) 24

Centro Presente v. U.S. Dep't of Homeland Sec.,
332 F. Supp. 3d 393 (D. Mass. 2018)..... 4, 6, 12, 14

Corner Post, Inc. v. Bd. of Governors of Fed. Rsrv. Sys.,
603 U.S. 799 (2024)..... 24

D.V.D v. U.S. Dep't of Homeland Sec.,
___ F. Supp. 3d ____, No. 25-cv-10676-BEM, 2025 WL 1495517 21

Dep't of Homeland Sec. v. Regents of the Univ. of Cal.,
591 U.S. 1 (2020)..... 6

Di Biase v. SPX Corp.,
872 F.3d 224 (4th Cir. 2017) 21

Doe v. Noem,
___ F. Supp. 3d ____, No. 1:25-cv-10495, 2025 WL 1099602 (D. Mass. Apr. 14, 2025) 23

Page(s)

Encino Motorcars, LLC v. Navarro,
579 U.S. 211 (2016) 17

Garland v. Aleman Gonzalez,
596 U.S. 543 (2022) 8, 10

Gayle v. Warden Monmouth Cnty. Corr. Inst.,
12 F.4th 321 (3d Cir. 2021) 10

Hamama v. Adducci,
912 F.3d 869 (6th Cir. 2018) 10

HIAS, Inc. v. Trump,
985 F.3d 309 (4th Cir. 2021) 25

Kravitz v. U.S. Dep't of Com.,
355 F. Supp. 3d 256 (D. Md. 2018) 15

Krua v. U.S. Dep't of Homeland Sec.,
729 F. Supp. 2d 452, 455 (D. Mass. 2010) 6

Lovo v. Miller,
107 F.4th 199, 206 (4th Cir. 2024) 2

Make The Road N.Y. v. Wolf,
962 F.3d 612 (D.C. Cir. 2020) 10

McNary v. Haitian Refugee Center, Inc.,
498 U.S. 479 (1991) 2–4

Merrill v. Milligan,
142 S. Ct. 879 (2022) (Mem.) 23

Miranda v. Garland,
34 F.4th 338 (4th Cir. 2022) 4, 9–10, 21

Monsanto Co. v. Geertson Seed Farms,
561 U.S. 139 (2010) 9, 24

Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.,
463 U.S. 29 (1983) 14

NAACP v. U.S. Dep't of Homeland Sec.,
364 F. Supp. 3d 568 (D. Md. 2019) 6

N.C. State Conf. NAACP v. McRory,
831 F.3d 204 (4th Cir. 2016) 9

Page(s)

Nat'l Ass'n of Mfrs. v. Dep't of Def.,
583 U.S. 109 (2018) 12

Nat'l TPS All. v. Noem,
___ F. Supp. 3d ____, No. 25-cv-1766, 2025 WL 957677 (N.D. Cal. Mar. 31, 2025),
stay granted, No. 24A1059 (S. Ct. May 19, 2025) ..... *passim*

Noem v. Doe,
No. 24A1079, 605 U.S. ___ (May 30, 2025) 22

Noem v. Nat'l TPS All.,
No. 24A1059 (S. Ct. May 19, 2025) 22

Orquera v. Ashcroft,
357 F.3d 413 (4th Cir. 2003) 9

Pulsifer v. United States,
601 U.S. 124 (2024) 12

Ramos v. Nielsen,
336 F. Supp. 3d 1075 (N.D. Cal. 2018) 19

Ramos v. Wolf,
975 F.3d 872 (9th Cir. 2020), *reh'g en banc granted, opinion vacated*,
59 F.4th 1010 (2023) (dismissed June 29, 2023) 4, 6

Reno v. Catholic Soc. Servs., Inc.,
509 U.S. 43 (1993) 3, 7

Roe v. Dep't of Def.,
947 F.3d 207 (4th Cir. 2020) ..... *passim*

Saget v. Trump (*Saget I*),
345 F. Supp. 3d 287 (E.D.N.Y. 2018) 4, 6

Saget v. Trump (*Saget II*),
375 F. Supp. 3d 280 (E.D.N.Y. 2019) 5, 18–19

Texas v. United States,
50 F.4th 498 (5th Cir. 2022) 9

Webster v. Doe,
486 U.S. 592 (1988) 2

Statutes

5 U.S.C. § 705 ..... 1, 19, 24, 25

Page(s)

Immigration and Nationality Act
8 U.S.C. § 1160(e)(1) 3
8 U.S.C. § 1225 8
8 U.S.C. § 1226(e) 4
8 U.S.C. § 1227 8
8 U.S.C. § 1229 8
8 U.S.C. § 1229a 8
8 U.S.C. § 1252(b)(9) 6
8 U.S.C. § 1252(e)(1)(A) 10
8 U.S.C. § 1252(f)(1) 1, 7–8, 10
8 U.S.C. § 1254a(1)(A) 8
8 U.S.C. § 1254a(a)(1) 8
8 U.S.C. § 1254a(b)(1) 8
8 U.S.C. § 1254a(b)(1)(C) 15
8 U.S.C. § 1254a(b)(3) 13
8 U.S.C. § 1254a(b)(3)(A) 12, 18
8 U.S.C. § 1254a(b)(3)(B) 4, 17
8 U.S.C. § 1254a(b)(5) 2, 4, 6
8 U.S.C. § 1254a(f)(4) 18
8 U.S.C. § 1255 8
8 U.S.C. § 1255a 8
8 U.S.C. § 1255b 8
8 U.S.C. § 1257 8
8 U.S.C. § 1258 8

U.S. Code tit. 8, ch. 12, subch. II, part IV 8

IIRIRA, Pub. L. No. 104-208, tit. III, subtit. A, § 308(a)(2), 110 Stat. 3009-546 7

Other Authorities

87 Fed. Reg. 34,706 (June 7, 2022) 17

88 Fed. Reg. 69,945 (Oct. 10, 2023) 17

90 Fed. Reg. at 8,446 (January 20, 2025) 18–19, 23

90 Fed. Reg. 20,310 (May 13, 2025) ..... *passim*

90 Fed. Reg. 23,697 (June 4, 2025) ..... *passim*

90 Fed. Reg. 24,151 (June 6, 2025) 12

H.R. Rep. No. 100-627 (1988) 7

Page(s)

Mark Betancourt, *Many Immigrants Don't Get the Chance to Prove Their Fear of Torture if Deported*, NPR, https://perma.cc/72VA-RHE4 (June 2, 2025)..... 21

INTRODUCTION

This Court should vacate the attempted terminations of the Temporary Protected Status (TPS) designations for Afghanistan and Cameroon and declare that those designations have been automatically extended by at least six months. Defendants provide no persuasive reason for doing otherwise. Their threshold arguments—that 8 U.S.C. § 1254a(b)(5) prohibits this Court from reviewing CASA's claims, and that another statute, 8 U.S.C. § 1252(f)(1), bars this Court from granting the relief CASA seeks in the instant motion—have been rejected by nearly every court to consider them. On the merits, Defendants' assertion that the Secretary timely terminated the TPS designations based on a secret determination purportedly made 60 days before each designation was set to expire, but not published in the Federal Register until less than a week before those expirations were set to take effect, cannot be squared with the plain text of the TPS statute, which provides a clear and orderly process that the Secretary must follow in making such decisions. And Defendants' vague invocations of the national interest do nothing to undermine the fact that, on their face, the Federal Register notices make clear that the Secretary's termination decisions were based on considerations other than those set forth in the TPS statute, and at a minimum, were not adequately explained.

Should this Court conclude that additional factual development is necessary for it to resolve CASA's Administrative Procedure Act (APA) claims, postponement of the terminations is clearly warranted under 5 U.S.C. § 705. CASA's members will be irreparably injured by ending the status that allows them to lawfully live and work in this country. The Supreme Court's unreasoned orders granting stays of injunctions in other cases involving different legal issues say nothing about how this Court should resolve *this* case. And courts across the country have held that the relief CASA

seeks here—restoration of the status quo not only for itself and its members, but also for others affected by the attempted terminations—plainly accords with what the APA expressly authorizes.

ARGUMENT

I. This Court Can Review CASA's Claims

A. Section 1254a(b)(5) Does Not Prohibit Review of CASA's Claims

Defendants argue that CASA's claims are barred by 8 U.S.C. § 1254a(b)(5) (Defs.' Br. 9–10), which provides that "[t]here is no judicial review of any determination of the [Secretary] with respect to the designation, or termination or extension of a designation, of a foreign state under this subsection." Defendants are incorrect: that section contains no indication that Congress intended to bar review of claims like those CASA brings, which do not challenge the substance of the Secretary's determinations with respect to Afghanistan or Cameroon. As the Fourth Circuit has explained, there is a "well-settled and strong presumption that when a statutory provision is reasonably susceptible to divergent interpretation, [courts] adopt the reading that accords with traditional understandings and basic principles: that executive determinations generally are subject to judicial review." *Lovo v. Miller*, 107 F.4th 199, 206 (4th Cir. 2024) (cleaned up). That presumption "can only be overcome by clear and convincing evidence of congressional intent to preclude judicial review." *Id.* (cleaned up); *see also Webster v. Doe*, 486 U.S. 592, 603 (1988) (holding that if Congress "intends to preclude judicial review of constitutional claims its intent to do so must be clear").

The word "determination" used in Section 1254a(b)(5) has a well-established meaning in the context of statutes barring judicial review: it prevents courts from entertaining challenges to the substance of an agency's decisions but does not preclude review of other challenges, including to the practices and policies used when arriving at those decisions. For example, in *McNary v. Haitian Refugee Center, Inc.*, 498 U.S. 479 (1991), the Supreme Court considered the scope of a

statute that precluded "judicial review of a determination respecting an application for adjustment of status" made pursuant to the Special Agricultural Workers (SAW) amnesty program (unless the determination was made during a deportation or exclusion proceeding). *Id.* at 491 (quoting 8 U.S.C. § 1160(e)(1)). The plaintiffs there alleged that the process used to determine eligibility for the program violated due process because it was conducted in an arbitrary manner. *Id.* at 487–488. The Court held that the district court could hear the plaintiffs' claims. *Id.* at 491–494. Among other things, the Court explained that "the reference to 'a determination' describes a single act rather than a group of decisions or a practice or procedure employed in making decisions." *Id.* at 492. It further reasoned that had Congress intended to limit judicial review "to encompass challenges to INS procedures and practices, it could easily have used broader statutory language," such as "all causes . . . arising under" the statute, or "all questions of law and fact." *Id.* at 494. The Court thus held that the statute prohibited "direct review of individual denials of SAW status" but not "general collateral challenges to unconstitutional practices and policies used by the agency in processing applications." *Id.* at 492; *see also Reno v. Catholic Soc. Servs., Inc.*, 509 U.S. 43, 53, 56 (1993) (holding that statute barring judicial review of "determinations respecting an application for adjustment of status" did not preclude challenges to the "legality of a regulation without referring to or relying on the denial of any individual application" (cleaned up)).[1]

Courts across the country have read Section 1254a(b)(5) the same way: as prohibiting judicial review of "the content of the decision," not the "process of the adjudication and whether an evidence-based determination under the statutory criteria occurred." *Saget v. Trump* (*Saget I*),

[1] Defendants cite several cases for the proposition that APA review is not available where precluded by another statute. Defs.' Br. 9–10. CASA has no quarrel with that generic proposition. Sections 1254a(b)(5) and 1252(f)(1) simply do not bar the sorts of APA claims they allege.

345 F. Supp. 3d 287, 294–296 (E.D.N.Y. 2018).[2] As in *McNary* and *Reno*, the relevant prohibition on judicial review refers to a single action—a "determination," 8 U.S.C. § 1254a(b)(5)—rather than a "practice or procedure employed in making decisions," *McNary*, 498 U.S. at 492; *cf. Miranda v. Garland*, 34 F.4th 338, 351–352 (4th Cir. 2022) (statute prohibiting review of "'any action or decision by the Attorney General under [this section] regarding the detention or release of any alien or the grant, revocation, or denial of bond or parole'" did not bar review of a "categorical, across-the-board" constitutional challenge to a regulation placing the burden of proof on detainees in bond or parole proceedings because the statute "refers to a specific act or decision regarding bond or parole decisions") (quoting 8 U.S.C. § 1226(e)). Nor does Section 1254a(b)(5) employ broad language, such as "all causes . . . arising under" or "all questions of law and fact." *McNary*, 498 U.S. at 494.

CASA's claims do not challenge the substance of Secretary of Homeland Security Kristi Noem's "determination . . . with respect to the . . . termination" of Afghanistan's and Cameroon's TPS designations. 8 U.S.C. § 1254a(b)(5). Here, the relevant "determination[s]," *id.*, are that Afghanistan and Cameroon "no longer continue[ ] to meet the conditions for designation under [Section 1254a(b)(1)]," *id.* § 1254a(b)(3)(B). CASA does not question those conclusions. Instead, Counts I and VI allege that Secretary Noem failed to follow the proper procedure to effectuate her determination: that if she wanted to terminate Afghanistan's and Cameroon's TPS designations, she was required to publish notice of those terminations in the Federal Register at least 60 days before the 2023 Afghanistan Extension and the 2023 Cameroon Extension, respectively, expired.

[2] *See also, e.g.*, *Ramos v. Wolf*, 975 F.3d 872, 891 (9th Cir. 2020), *reh'g en banc granted, opinion vacated*, 59 F.4th 1010 (2023) (dismissed June 29, 2023); *Nat'l TPS All. v. Noem*, ___ F. Supp. 3d ____, 2025 WL 957677, at *16 (N.D. Cal. Mar. 31, 2025), *stay granted*, No. 24A1059 (S. Ct. May 19, 2025); *CASA de Maryland, Inc. v. Trump*, 355 F. Supp. 3d 307, 320–322 (D. Md. 2018); *Centro Presente v. U.S. Dep't of Homeland Sec.*, 332 F. Supp. 3d 393, 404–409 (D. Mass. 2018).

Similarly, Counts III and IV seek a declaration of what the statute requires when the Secretary fails to timely publish such notice: that the TPS designations for Afghanistan and Cameroon are automatically extended by at least six months. The Court need only consider the publication date of the Afghanistan and Cameroon termination notices to resolve these claims.

Nor do CASA's arbitrary and capricious claims (Counts II and VII) implicate the substance of Secretary Noem's termination decision. As other courts have held, an arbitrary and capricious claim like CASA's—that the Secretary relied on extra-statutory considerations in coming to her decision—alleges a "*process-based* deficienc[y]." *Saget v. Trump* (*Saget II*), 375 F. Supp. 3d 280, 332 (E.D.N.Y. 2019). CASA asserts that Secretary Noem's decision with respect to Afghanistan was preordained by White House directive, as part of the Administration's effort to reduce the number of non-white immigrants in this country; that it was based on a misinterpretation of the TPS statute; and that it improperly relied on the Secretary's conclusion that Afghan nationals who received TPS had been subjected to certain administrative investigations. Pl.'s Br. 22–26. CASA makes similar assertions with regard to the attempted Cameroon termination. *See* pp. 16–19, *infra*. These claims do not challenge the "content of [Secretary Noem's] decision," nor do they seek a "substantive declaration from the Court that [CASA is] entitled to a TPS determination in [its] favor." *Saget II*, 375 F. Supp. 3d at 332. CASA's success on these claims would not "compel Defendants to extend [Afghanistan's and Cameroon's] TPS designation[s]." *Id.* Instead, it would require them to make a "new, good faith, fact-and evidence-based determination[s] regarding [Afghanistan's and Cameroon's] status by applying lawful criteria." *Id.*; *accord Nat'l TPS All. v. Noem*, ___ F. Supp. 3d ____, No. 25-cv-1766, 2025 WL 957677, at *17 (N.D. Cal. Mar. 31, 2025), *stay granted*, No. 24A1059 (S. Ct. May 19, 2025); *Centro Presente v. U.S. Dep't of Homeland*

Sec., 332 F. Supp. 3d 393, 408–409 (D. Mass. 2018); *CASA de Maryland, Inc. v. Trump*, 355 F. Supp. 3d 307, 320–321 (D. Md. 2018).[3]

Section 1254a(b)(5) also does not prohibit this Court from reviewing CASA's equal protection claims (Counts V and VIII). Courts across the country have held that Section 1254a(b)(5) does not bar judicial review of constitutional claims. As those courts have reasoned, "the fact that Congress specifically included constitutional jurisdiction-stripping provisions elsewhere in the [Immigration and Nationality Act] but did not do so in the TPS statute strongly suggests Congress did not intend to eliminate jurisdiction over constitutional claims." *Saget I*, 345 F. Supp. 3d at 296 (citing 8 U.S.C. § 1252(b)(9)).[4] This claim does not seek review of the Secretary's "determination," 8 U.S.C. § 1254a(b)(5), that Afghanistan and Cameroon no longer continue to meet the conditions for TPS designation. Instead, CASA alleges that the decisions to terminate Afghanistan's and Cameroon's TPS designations were premised on unlawful considerations other than the country conditions—specifically, on racial animus.

Finally, in a footnote without explanation, Defendants assert that the Secretary's determinations are "unreviewable as committed to agency discretion by law." Defs.' Br. 9 n.6. But this exception to the presumption of judicial review is "quite narrow[]," limited to "those rare administrative decisions traditionally left to agency discretion." *Dep't of Homeland Sec. v. Regents of the Univ. of Cal.*, 591 U.S. 1, 17 (2020) (cleaned up). Defendants identify no such

[3] The Ninth Circuit's (since vacated) decision in *Ramos* does not support a contrary result. The plaintiffs there challenged the Department of Homeland Security's "new and unexplained practice of refusing to consider intervening events in its TPS decisions," which the majority understood to "essentially raise a substantive challenge to the Secretary's underlying analysis." 975 F.3d at 892–895. As explained, CASA does not question the substance of Secretary Noem's determination.

[4] *See also Ramos*, 975 F.3d at 891; *Nat'l TPS All.*, 2025 WL 957677, at *17; *NAACP v. U.S. Dep't of Homeland Sec.*, 364 F. Supp. 3d 568, 574–579 (D. Md. 2019); *CASA*, 355 F. Supp. 3d at 321; *Centro Presente*, 332 F. Supp. 3d at 407. *But see Krua v. U.S. Dep't of Homeland Sec.*, 729 F. Supp. 2d 452, 455 (D. Mass. 2010).

tradition with respect to the actions at issue here. And their overly expansive view of the discretion conferred by the TPS statute would stymie Congress's express goal of enacting it in order to create an "orderly mechanism" for providing temporary safe haven to nationals "from countries experiencing turmoil." H.R. Rep. No. 100-627, at 4 (1988).

B. Section 1252(f)(1) Does Not Prevent this Court from Granting Relief

Defendants are also wrong that 8 U.S.C. § 1252(f)(1) precludes CASA's requested relief. Defs.' Br. 10–11. That section provides that "[r]egardless of the nature of the action or claim or of the identity of the party or parties bringing the action, no court (other than the Supreme Court) shall have jurisdiction or authority to enjoin or restrain the operation of the provisions of part IV of this subchapter, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 [IIRIRA], other than with respect to the application of such provisions to an individual alien against whom proceedings under such part have been initiated." 8 U.S.C. § 1252(f)(1).

As a threshold matter, Section 1252(f)(1) does not apply to the TPS statute. That provision, as set forth in the U.S. Code, prohibits courts only from "enjoin[ing] or restrain[ing] the operation of the provisions of *part IV*" of subchapter II of Chapter 12 of Title 8 of the U.S. Code—i.e., the Immigration and Nationality Act (INA). *Id.* (emphasis added). But the TPS statute is located in *part V* of the INA. Defendants argue that the codifiers of the U.S. Code improperly placed the TPS statute in part V when they codified IIRIRA by pointing to a table of contents in that Act, which purported to put the TPS statute in Chapter 4 of the INA. *See* Defs.' Br. 11 n.7; IIRIRA, Pub. L. No. 104-208, tit. III, subtit. A, § 308(a)(2), 110 Stat. 3009-546, 3009-615–616. Careful scrutiny of the statutory structure and the text of the relevant provisions, however, demonstrates that the table of contents' reference to the TPS statute in part IV was a scrivener's error. *See Reno*, 525 U.S. at 498 (Stevens, J., concurring in the judgment) (noting that IIRIRA "is a part of an omnibus enactment that occupies 750 pages in the Statutes at Large" and that it is therefore "not

surprising that it contains a scrivener's error"). Placing the TPS statute in part IV would make little sense. Part IV "charge[s] the Federal Government with the implementation and enforcement of the immigration laws governing the inspection, apprehension, examination, and removal of aliens." *Garland v. Aleman Gonzalez*, 596 U.S. 543, 549–550 (2022); *see also* U.S. Code tit. 8, ch. 12, subch. II, part IV (titled "Inspection, Apprehension, Examination, Exclusion, and Removal"). It sets forth the procedures for how the federal government must go about inspecting applicants for admission to this country, 8 U.S.C. § 1225, which noncitizens in this country may be removed, *id.* § 1227 and the process for conducting removal proceedings, *id.* §§ 1229–1229a, among other things. The TPS statute has nothing to do with inspection, apprehension, examination, or removal. Instead, it allows eligible recipients to be "grant[ed] . . . temporary protected status." *Id.* § 1254a(1)(A). It thus falls more naturally under Part V, titled "Adjustment and Change of Status," which contains other provisions that govern individuals' lawful presence in the country. *See, e.g.*, 8 U.S.C. §§ 1255–1255b, 1257–1258.

The text of Section 1252(f)(1) and the TPS statute further demonstrate why the latter does not fall within the prohibition established by the former. Section 1252(f)(1) contains an exception to its general bar: a court may "enjoin or restrain" the relevant provisions "with respect to the application of such provisions to an individual alien against whom proceedings under such part have been initiated." 8 U.S.C. § 1252(f)(1). The TPS statute is not "appli[ed] . . . to" eligible recipients; nor are "proceedings . . . initiated" against individuals under the statute. *Id.* Instead, the statute provides a mechanism for the Secretary to designate a country for TPS, *id.* § 1254a(b)(1); and then allows the Secretary to "grant" individuals "temporary protected status," *id.* § 1254a(a)(1). Applying Section 1252(f)(1) to the TPS statute would not make logical or grammatical sense. And it is a cardinal rule of statutory interpretation that courts must adopt a

reading that "makes sense of the statutory scheme as a whole." *Orquera v. Ashcroft*, 357 F.3d 413, 420 (4th Cir. 2003) (citation omitted).

Even if Section 1252(f)(1) applies to the TPS statute, it does not preclude the Court from granting the relief CASA requests with respect to the counts at issue in the motions before the Court: vacatur under the APA and declaratory relief.[5] With respect to vacatur, every court to consider the issue has held that Section 1252(f)(1) does not prevent courts from issuing such relief. *See Texas v. United States*, 50 F.4th 498, 528 (5th Cir. 2022); *see also Nat'l TPS All.*, 2025 WL 957677, at *11–15 (collecting cases). As the Fifth Circuit has explained, "[t]he Supreme Court has cautioned that, 'by its plain terms and even by its title, § 1252(f)(1) is nothing more or less than a limit on injunctive relief.'" *Texas*, 50 F.4th at 528 (cleaned up) (quoting *Biden v. Texas*, 597 U.S. 785, 801 (2022)). That is because vacatur is a "less drastic remedy" than an injunction. *Monsanto Co. v. Geertson Seed Farms*, 561 U.S. 139, 165–166 (2010); *accord Texas*, 50 F.4th at 529. "Apart from the constitutional or statutory basis on which the court invalidated an agency action, vacatur neither compels nor restrains further agency decision-making." *Texas*, 50 F.4th at 529 (cleaned up). Whereas vacatur is limited to "re-establish[ing] the status quo absent the unlawful agency action," *Nat'l TPS All.*, 2025 WL 957677, at *13, courts have "broad and flexible equitable powers to fashion a remedy that will fully correct past wrongs," *N.C. State Conf. NAACP v. McRory*, 831 F.3d 204, 239 (4th Cir. 2016) (cleaned up).

Similarly, every circuit court to resolve the issue has held that "declaratory relief remains available under section 1252(f)(1)." *Brito v. Garland*, 22 F.4th 240, 252 (1st Cir. 2021); *see also*

[5] CASA seeks injunctive relief only with respect to its equal protection claims. If Section 1252(f)(1) applies to the TPS statute at all (and it does not), it could operate to bar this court from granting such relief. *See Miranda*, 34 F.4th at 347. But as explained, *see* pp. 9–10, *infra*, CASA could still obtain declaratory relief with regard to its equal protection claims.

Al Otro Lado v. Exec. Off. for Immigr. Rev., ___ F.4th ____, Nos. 22-55988, 22-56036, 2024 WL 5692756, at *14 (9th Cir. May 14, 2025); *Gayle v. Warden Monmouth Cnty. Corr. Inst.*, 12 F.4th 321, 336 (3d Cir. 2021); *Make The Road N.Y. v. Wolf*, 962 F.3d 612, 635 (D.C. Cir. 2020); *cf. Miranda*, 34 F.4th at 370 (Urbanski, J., concurring in part and dissenting in part) ("[D]eclaratory relief . . . is not barred by § 1252(f)(1)."). *But see Hamama v. Adducci*, 912 F.3d 869, 880, n.8 (6th Cir. 2018) (suggesting, but not holding, otherwise).[6] As the First Circuit has explained, Section 1252(f)(1)'s title—"[l]imit on injunctive relief"—indicates that it has a "limited scope." *Brito*, 22 F.4th at 251. And nothing about the relevant language—that courts may not "enjoin or restrain" the operation of certain statutes, 8 U.S.C. § 1252(f)(1)—"suggests that it bars declaratory relief," *Brito*, 22 F.4th at 251. Declaratory relief "differs legally and materially" from injunctive relief. *Id.* It is a "milder remedy" that "does not, in itself, coerce any party or enjoin any future action" or "set the stage for a finding of contempt." *Id.* (citation omitted). That is clearly the case here: CASA's relevant request for relief seeks only a declaration of what the TPS statute requires, not any coercive remedy. Moreover, "Congress knows how to prohibit declaratory relief when it so chooses." *Id.* "Indeed, the preceding subpart in section 1252 prohibits courts from granting 'declaratory, injunctive, or other equitable relief in any action pertaining to an order to exclude an alien in accordance with section 1225(b)(1).'" *Id.* (quoting 8 U.S.C. § 1252(e)(1)(A)). For that reason, courts have been "loath to insert a prohibition on declaratory relief into section 1252(f), where Congress elected not to include one." *Id.*

[6] The Supreme Court has specifically reserved this question. *See Aleman Gonzalez*, 596 U.S. at 551 n.2; *see also id.* at 572 n.9 (Sotomayor, concurring in the judgment in part and dissenting in part) (although the issue was not presented, the argument that Section 1252(f)(1) bars declaratory relief is "difficult to square" with the "statute Congress enacted").

II. This Court Should Grant Summary Judgment on CASA's Procedural Claims

CASA is entitled to summary judgment on its procedural APA claim (Count I) and related Declaratory Judgment Act claim (Count III) with regard to Afghanistan, as well as the parallel claims with regard to Cameroon (Count IV, as well as Count VI set forth in the Supplement to the First Amended Complaint).[7] As CASA has explained, Section 1254a(b)(3) of the TPS statute provides that any termination of a country's TPS designation "must be published in the Federal Register at least 60 days before the expiration" of that country's designation. Pl.'s Br. 14. Defendants do not dispute that the attempted Afghanistan and Cameroon terminations failed to adhere to that timeline. Nor, tellingly, do they contest any of the evidence CASA marshalled from neighboring statutory provisions and past administrative practice that confirms its reading of the statute. *See id.* at 16–20. Defendants argue instead that the TPS statute requires only that the Secretary make a secret decision to terminate a country's TPS designation by that 60-day deadline and that subsequent notice of that decision is procedurally sound so long as it delays the effective date of the termination until at least 60 days after the publication date. Defs.' Br. 12–13. Not so.

First, Defendants' interpretation of Section 1254a(b)(3) depends on the Department of Homeland Security (DHS) having authority to extend a country's TPS designation by less than six months (here, 55 days for Afghanistan and 58 days for Cameroon). *See* Termination of the Designation of Afghanistan for Temporary Protected Status, 90 Fed. Reg. 20,309, 20,309 (May 13, 2025) (noting that Afghanistan's TPS designation was "set to expire on May 20, 2025," but providing that termination of its designation is not "effective" until July 14, 2025); Termination of the Designation of Cameroon for Temporary Protected Status, 90 Fed. Reg. 23,697, 23,697 (June

[7] CASA hereby supplements its Motion for Partial Summary Judgment or Stay of Agency Action, ECF No. 42, to encompass its APA claims regarding the attempted termination of Cameroon's TPS designation (Counts VI and VII). Supp. First Am. Compl. ¶¶ 9–16, ECF No. 55.

4, 2025) (noting that Cameroon's TPS designation was "set to expire on June 7, 2025," but providing that termination of its designation is not "effective" until August 4, 2025). But as CASA has explained, no part of the TPS statute—including Section 1254a(d)(3)'s procedures for an "orderly transition" *following* a valid termination—provide such authority. Pl.'s Br. 16–17.[8]

Second, Defendants' interpretation renders superfluous the 60-day deadline set forth in Section 1254a(b)(3)(A) by which the Secretary must "determine whether the conditions for [a country's TPS] designation . . . continue to be met." If that subparagraph's sole function is to set a deadline for the Secretary to make a secret determination, then it serves no practical purpose. Under Defendants' construction, the notice deadline in Section 1254a(b)(3)(B) is the only one that has any relevance to the public at large. "[T]he canon against surplusage applies with special force," where, as here, a statutory construction would "'render[] an entire subparagraph meaningless'" and not just an "odd word or stray phrase." *Pulsifer v. United States*, 601 U.S. 124, 143 (2024) (quoting *Nat'l Ass'n of Mfrs. v. Dep't of Def.*, 583 U.S. 109, 128 (2018)). In contrast, CASA's interpretation assigns "independent work" to each subparagraph of Section 1254a(b)(3) by reading the "text in context" so that "[e]very part of the paragraph has a function." *Id.* at 133, 142. Subparagraph (A) sets the overall 60-day deadline for determinations regarding termination or extension of a TPS designation; (B) explains how the Secretary must effectuate her determination if she decides to terminate a country's TPS designation; and (C) sets forth the consequence of the Secretary's failure to meet the deadline set forth in subparagraph (A)—"automatic" extension of the TPS designation, *Centro Presente*, 332 F. Supp. 3d at 403.

Third, Defendants' interpretation is at war with their own view of what constitutes final agency action in the context of a TPS termination or extension. CASA initiated this lawsuit after

[8] *See also* Termination of the Designation of Nepal for Temporary Protected Status, 90 Fed. Reg. 24,151, 24,151 (June 6, 2025) (attempting to cure another untimely termination the same way).

various news outlets reported that DHS Assistant Secretary of Public Affairs Tricia McLaughlin had sent an email to reporters stating that Secretary Noem had terminated Cameroon's and Afghanistan's TPS designations. Compl. ¶ 2, ECF No. 1. But Defendants insisted that this lawsuit concerned a "fabricated emergency" because "a press report is [not] the final agency action." Ex. 1, J.R. 5–6. And even as of the filing of their opposition to CASA's motion, Defendants maintained that there was "no basis" for CASA's procedural challenge to the attempted Cameroon termination because no termination decision had been published as of the filing of the First Amended Complaint. Defs.' Br. 13. The TPS statute provides no support for Defendants' view that DHS's decisionmaking can exist in this quantum state—nonfinal for the purpose of judicial review, but final for the purpose of the TPS statute's procedural requirements. Instead, a termination published in the Federal Register is the relevant "determination" for both purposes. 8 U.S.C. § 1254a(b)(3).[9]

Fourth, Defendants' view that the Secretary's secret decision to terminate a country's TPS designation—separate and apart from any notice in the Federal Register—constitutes a "determination" under the TPS statute would render enforcement of the statute's procedural requirements nearly impossible. Executive Branch officials' decisional memos such as the one that Defendants claim to have produced—albeit nearly completely redacted—are not publicly released as a matter of course. Thus, the only way for an aggrieved person to enforce the TPS statute's procedural requirements—as Defendants understand them—would be to bring a lawsuit based on a hunch that a procedural default had occurred and to obtain any decisional memo as part of an administrative record—assuming their claim could survive a motion to dismiss. Moreover, it is not even clear that Defendants' interpretation of the TPS statute's procedural requirements

[9] CASA initiated this lawsuit based on the news reports of Defendants' actions only because those reports conveyed—accurately, it seems—Defendants' view that the Secretary's decisional memos ordering the termination of Afghanistan's and Cameroon's TPS designations constituted completed termination determinations. For the reasons explained, that view is wrong.

depends on the existence of an actual decisional memo. If the TPS statute's 60-day deadline can be satisfied by a secret written "determination" separate and apart from a notice in the Federal Register, then the Secretary's mere *ipse dixit* that she had made a timely termination decision in her own head should similarly suffice. That cannot be how the statute operates.

Finally, Defendants' interpretation of the TPS statute would allow TPS holders' status to expire before any notice has been published in the Federal Register setting forth whether the relevant TPS designation had been terminated or extended. Defendants confirmed as much when they told this Court that a notice of termination with regard to Cameroon could be published after the June 7, 2025, expiration of the 2023 Cameroon Extension, so long as the notice delayed the effective date of the termination until 60 days after publication. Ex. 11, J.R. 98 (May 27, 2025, Case Mgmt. Conf. Tr. 12:15–17). Defendants' interpretation of the statute would place TPS holders in limbo: with expired status but without any public recognition of a termination or extension of their status or related benefits, such as employment authorization. Indeed, under Defendants' interpretation it is unclear how anyone outside DHS could ever determine that an "automatic" extension of a TPS designation had occurred unless and until the agency voluntarily recognized one. *Centro Presente*, 332 F. Supp. 3d at 403. That cannot be right.

III. This Court Should Grant Summary Judgment on CASA's Arbitrary and Capricious Claims

CASA is also entitled to summary judgment on its arbitrary and capricious claims (Counts II and VII). The APA demands an agency decision based on reasons set forth by statute, and it requires that the agency "articulate a *satisfactory explanation* for its action including a *rational connection* between the facts found and the choice made." *Roe v. Dep't of Def.*, 947 F.3d 207, 220 (4th Cir. 2020) (cleaned up and emphases added); *accord Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983). The attempted TPS terminations for

Afghanistan and Cameroon meet none of these requirements. As shown in the May 13, 2025, Federal Register notice for Afghanistan and the June 4, 2025, notice for Cameroon, both attempted terminations were insufficiently reasoned and improperly dictated by political considerations.

The Court should grant summary judgment for CASA on Count II—that the attempted Afghanistan termination is arbitrary and capricious—as it was not based on factors set forth in the TPS statute but was instead an improper and predetermined political decision. Defendants' broad assertions of the "national interest," Defs.' Br. 15–17, to declare the termination "unquestionably a lawful exercise of [the Secretary's] authority," *id.* at 17, do not cure this defect. To be sure, the TPS statute does allow for assessment of the national interest when making TPS determinations based on extraordinary and temporary conditions. 8 U.S.C. § 1254a(b)(1)(C); *Nat'l TPS All.*, 2025 WL 957677, at *33. And policy considerations may play some role in agency decisionmaking. But no authority permits what Secretary Noem has done here: using presidential policy directives to steer the Afghanistan TPS determination and invoking the national interest as loose support for a preordained political decision. *See, e.g.*, *Kravitz v. U.S. Dep't of Com.*, 355 F. Supp. 3d 256, 267–268 (D. Md. 2018) (evidence suggested that agency reasoning impermissibly relied on "manufactured support created to mask an impermissible, predetermined political motivation" and "on improper political influence").

The published termination notice also falls far short of providing a "satisfactory explanation" for the agency action, *Roe*, 947 F.3d at 2020, and this fact lays bare the improper political motivations behind the attempted Afghanistan termination. For instance, the notice cites Executive Order 14,159's complaint about "[m]illions of illegal aliens," 90 Fed. Reg. at 20,311, but does not explain how that impacts the national interest as it relates to lawfully present Afghan TPS holders. The notice similarly fails to explain the circular logic behind using that Order's

command to ensure that TPS designations are statutorily proper, *id.*, as a "national interest" reason to terminate a statutorily sound Afghanistan TPS designation. The notice omits any rationale for how the "America First" agenda or the directive to "champion core American interests" in Executive Order 14,150, *id.* & n.25, requires the termination of Afghanistan's TPS designation. And the notice draws no connection, rational or otherwise, between the existence of administrative investigations into an unknown number of individual Afghan TPS holders, *id.*, and the choice to terminate Afghanistan's TPS designation in its entirety.

The termination notice does not provide satisfactory explanations, and Defendants—by repeating the same bare assertions about national interest, public safety, and national security—offer nothing to fill the gap. Nor can any explanation be found in the almost completely redacted decision memo on Afghanistan TPS provided by Defendants, Ex. 9, J.R. 74–84, which they cite only to claim (incorrectly, *see* pp. 11–14, *supra*) that Secretary Noem made a final determination with regard to Afghanistan's TPS designation on March 21, 2025, Defs.' Br. 7. In addition to failing to buttress any arguments against CASA's claims, the ten pages of redacted content in the memo cannot even sustain Defendants' *own* summary judgment request, Defs.' Br. 17, for which they offer no factual or legal analysis. To date, aside from a mere four lines of unredacted text, Defendants have provided nothing from the administrative record.

The Court should also grant summary judgment for CASA with respect to Count VII, set forth in the Supplement to the First Amended Complaint—that the attempted Cameroon termination is arbitrary and capricious—for similar reasons. The decision to terminate Cameroon's TPS designation is the antithesis of the reasoned decisionmaking that the APA requires. *See Roe*, 947 F.3d at 220. The Federal Register notice provides hardly any explanation for why Secretary Noem terminated Cameroon's TPS designation, much less one that sets forth a

"rational connection" between the facts cited and the decision made. *Id.* With respect to the first reason for Cameroon's TPS designation—that there is an ongoing armed conflict within Cameroon and that, due to such conflict, requiring Cameroonian nationals to return would pose a serious threat to their personal safety—the notice recognizes that the "major" armed conflicts that formed the basis of Cameroon's TPS designation "remain active," but concludes that Cameroonians can return safely because those conflicts are "contained in limited regions that primarily impact only three of the ten regions comprising Cameroon." 90 Fed. Reg. at 23,698. Yet armed conflict that formed the basis of Secretary Mayorkas's initial designation of Cameroon for TPS and his subsequent extension of that designation was similarly limited. *See* Extension and Redesignation of Cameroon for Temporary Protected Status, 88 Fed. Reg. 69,945, 69,947 (Oct. 10, 2023); Designation of Cameroon for Temporary Protected Status, 87 Fed. Reg. 34,706, 34,708 (June 7, 2022). "Agencies are free to change their existing policies," but they must "provide a reasoned explanation for the change." *Encino Motorcars, LLC v. Navarro*, 579 U.S. 211, 221 (2016). The Federal Register notice does not explain why Cameroon "*no longer* continues to meet the conditions for designation." 8 U.S.C. § 1254a(b)(3)(B) (emphasis added).

Similarly, with respect to the second reason for Cameroon's TPS designation—that there are extraordinary and temporary conditions in Cameroon that prevent nationals from safely returning—nowhere does the notice address the conditions that led Secretary Mayorkas to designate Cameroon for TPS and then extend that designation: the ongoing humanitarian crisis, the government restrictions on political spaces, and human rights violations and abuses. 87 Fed. Reg. at 34,709–34,710; 88 Fed. Reg. at 69,948–69,949. Instead, it rests entirely on Secretary Noem's conclusion that allowing Cameroonian nationals to remain temporarily in the United States is "contrary to the national interest." 90 Fed. Reg. at 23,698. The Federal Register notice

appears to suggest that it is in the national interest to "rescind policies that led to increased or continued presence of illegal aliens in the United States." *Id.* But it fails to explain *how* terminating Cameroon's TPS designation would further that interest—understandably so, because TPS holders *are* lawfully present in the United States. *See* 8 U.S.C. § 1254a(f)(4) (providing that a TPS holder "shall be considered as being in, and maintaining, lawful status as a nonimmigrant").

In addition, the Federal Register notice for Cameroon demonstrates that the Secretary's termination decision was not based on the considerations set forth in the statute, but instead on factors that Congress did not "intend[] [her] to consider." *Roe*, 947 F.3d at 220 (citation omitted). As CASA has described, *see* Pl.'s Br. 3–5, 13–15, the TPS statute sets forth a clear process for making, reviewing, and terminating TPS determinations, one that requires the Secretary to "undertake a periodic review grounded in fact—*i.e.*, based on objective conditions in the foreign country and regardless of any government official's political motives—and in good faith." *Saget II*, 375 F. Supp. 3d at 346 (citing 8 U.S.C. § 1254a(b)(3)(A)). Yet the Cameroon notice makes clear that the decision to terminate Cameroon's TPS designation was preordained by White House directive and motivated by the Administration's desire to reduce the number of non-white immigrants in this country. Like the Afghanistan termination notice, *see* 90 Fed. Reg. at 20,310–20,311 & nn.3, 22, the Cameroon termination notice invokes Executive Order 14,159, *see* 90 Fed. Reg. at 23,698. It explains that the decision to terminate Cameroon's TPS designation is part of the Administration's broader effort to "rescind policies that led to increased or continued presence of illegal aliens in the United States." *Id.* (citing Exec. Order 14,159, 90 Fed. Reg. 8,443, 8,446 (Jan. 20, 2025)). And it invokes the part of the Executive Order that explicitly directed the Secretary to "ensur[e] that the TPS designations are consistent with the TPS statute and '. . . made for only so long as may be necessary to fulfill the textual requirements of that statute.'" *Id.*

(quoting Exec. Order 14,159, 90 Fed. Reg. at 8,446). For the same reasons that the Afghanistan termination was arbitrary and capricious, so is the Cameroon termination.

IV. In the Alternative, this Court Should Postpone the Effective Date of the Terminations of Afghanistan's and Cameroon's TPS Designations

As set forth above, *see* pp. 11–19, *supra*, CASA's APA claims (Counts I, II, VI, and VII) are ripe for final judgment. But if this Court believes that further factual development is necessary to evaluate those claims, CASA respectfully requests that the Court postpone the effective dates of the terminations of Afghanistan's and Cameroon's TPS designation under 5 U.S.C. § 705. As explained, CASA is likely to succeed on the merits of its APA claims. The other Section 705 equitable factors similarly weigh in CASA's favor.

A. Afghan and Cameroonian TPS Holders Face Irreparable Harm

Afghan TPS holders face irreparable harm from an attempted termination of Afghanistan's TPS designation that was procedurally improper, arbitrary and capricious, and motivated by racial animus. Defendants do not dispute that the TPS holders will suffer devastating consequences to their lives and livelihoods. *See* Pl.'s Br. 27–28 (describing looming job loss, family separation, fears for physical safety). Rather, they try to shift the blame for those harms to the "inherent . . . temporary nature of TPS," Defs.' Br. 18, and to the TPS holders themselves—who, Defendants say, could simply avail themselves of other immigration protections, *id.* at 19. These arguments have been repeatedly rejected in challenges to other TPS terminations. *See, e.g.*, *Nat'l TPS All.*, 2025 WL 957677, at *23 (citing same analysis in *Ramos v. Nielsen*, 336 F. Supp. 3d 1075, 1087 (N.D. Cal. 2018)); *Saget II*, 375 F. Supp. 3d at 376. They fail here, too.

In summarily concluding that the TPS holders' myriad "harms will not be remedied" by the relief sought, Defs.' Br. 19, Defendants ignore that these injuries, without postponement of the agency's action, will flow directly from Secretary Noem's attempted termination. When, as here,

DHS fails to publish a notice of termination of a country's TPS designation by Section 1254a(b)(3)'s 60-day deadline, TPS holders from that country are entitled by statute to assume they will continue to be able to live and work in the United States for at least six months from the date of expiration. But the procedurally defective notice here forces TPS holders to reverse course and get their affairs in order, to identify safe and viable options for their families, and to plan financially for the transition on only a 55-day timetable. *See Nat'l TPS All.*, 2025 WL 957677, at *23 (noting that "time matters, even if that time is limited"). And a well-reasoned TPS determination, or an assessment free from racial animus, might very well have led to an extension of Afghanistan's TPS designation, similarly sparing TPS holders the stress and anxiety, risk of removal, and threat of family separation under which they currently labor. *See id.* at *20–21 (discussing valid harms from challenged TPS termination). But instead, Afghan TPS holders are confronted by upheaval, uncertainty, economic hardship and concerns for their physical safety—all on an improperly accelerated time frame.

Moreover, contrary to Defendants' suggestion, protections such as asylum, or withholding of removal under the INA or the Convention Against Torture, are not true "alternative[s]" to TPS. Defs.' Br. 19. Making a claim for asylum is a complicated, often years-long process. *See Nat'l TPS All.*, 2025 WL 957677, at *20 (describing asylum seekers waiting years for adjudication, "consistent with the well-documented backlogs in the immigration system," and noting that asylum and parole "do not provide the same protections as TPS"). And even TPS holders who qualify for asylum will find those protections unattainable should they lose the authorization to work or be lawfully present in the United States during the long process of pursuing a claim. *See CASA de Maryland v. Wolf*, 486 F. Supp. 3d 928, 968–969 (D. Md. 2020) (describing diminished ability to apply and wait for asylum without work authorization), *order dissolved*, 2023 WL 3547497

(D. Md. May 18, 2023). The government also appears to be placing these other protections increasingly out of reach. *See D.V.D v. U.S. Dep't of Homeland Sec.*, ___ F. Supp. 3d ____, No. 25-cv-10676-BEM, 2025 WL 1495517, at *7 (D. Mass. May 26, 2025) (government "did not include a meaningful opportunity for the class members to present fear-based claims" when it gave less than 24 hours' notice before removing individuals to South Sudan); Mark Betancourt, *Many Immigrants Don't Get the Chance to Prove Their Fear of Torture if Deported*, NPR, https://perma.cc/72VA-RHE4 (June 2, 2025), J.R. 101–104. The remote—and, in many cases, illusory—possibility of such protections cannot remedy harms inflicted by the attempted Afghanistan termination. And, regardless, for TPS holders, TPS is the bird in hand: it provides them security while they seek—if they choose—other, more permanent forms of lawful status.

CASA has demonstrated that, absent the relief sought here, irreparable harms will flow from the attempted Afghanistan termination. The cases Defendants cite (Defs.' Br. 19–20)—where, on inapposite facts, courts have not found a likelihood of irreparable harm—do not show otherwise. *See, e.g.*, *Miranda*, 34 F.4th at 365 (because court had erred in finding likely due process violation, plaintiff could not show irreparable harm from that alleged constitutional violation); *Di Biase v. SPX Corp.*, 872 F.3d 224, 235 (4th Cir. 2017) (finding no irreparable harm from uncertainty and stress caused by lack of insurance where plaintiffs did not attempt to secure available insurance coverage). The relief CASA seeks will ensure that Afghan TPS holders may remain in this country for at least another six months, plan their affairs, and evaluate the availability of other sources of protection. It will alleviate the well-founded fears and anxiety engendered by the Secretary's sudden and haphazard attempt to terminate the Afghanistan TPS designation.

Cameroonian TPS holders are facing the same irreparable harms from the termination of Cameroon's TPS designation. For example, J.K. fled Cameroon more than two decades ago, and

has been living and working in the United States ever since. Ex. 2, Escobar Decl., J.R. 18–19. Without TPS, she may be forced to return to a country where her life may be in danger. *Id.* Similarly, individuals like C.N. and O.M., who fled violence in Cameroon, also fear for their safety should they lose TPS and be removed to Cameroon. *Id.* at 19–20. And D.T. is a TPS beneficiary with a mixed-status family who fears for his family's future, safety, and ability to remain together if they lose TPS and are forced to leave their home in the United States. *Id.* at 20–21. Cameroonian TPS holders further face severe economic harm if their home country's TPS designation is prematurely terminated. J.K., for instance, is a home health aide who relies on her TPS to work. *Id.* at 18–19. She suffers from numerous health issues and, without TPS protection and the associated work authorization, would not be able to afford medical care. *Id.* at 19. Furthermore, if forced to return to Cameroon, she would not be able to receive the health care she needs. *Id.* Another similarly situated individual, O.M., is a 66-year-old CASA member who fled violence in Cameroon and relies on her TPS for work authorization. *Id.* Losing TPS would put O.M.'s livelihood in danger. *Id.* CASA's requested relief would remedy these harms to the same extent that it would for Afghan TPS holders.

B. Nonbinding and Unreasoned Supreme Court Stay Decisions in Unrelated Cases Do Not Establish That the Balance of the Equities Favor Defendants

Defendants' primary argument for why the balance of the equities are in their favor is that nonbinding stay decisions issued by the Supreme Court without any reasoning are somehow conclusive on this point. Defs.' Br. 20–21 (citing *Noem v. Doe*, No. 24A1079, 605 U.S. ___ (May 30, 2025) and *Noem v. Nat'l TPS All.*, No. 24A1059 (S. Ct. May 19, 2025)). How Defendants divine the basis for those decisions is a mystery. There is no reason to assume—as Defendants do—that the Court's view of the law, which it did not publicly disclose, in *Doe* and *National TPS Alliance* maps onto this case. Whereas this case concerns the attempted *terminations* of two

countries' TPS designations, *National TPS Alliance* concerns DHS's so-called *vacatur* of the TPS designation of a completely different country—Venezuela—in the middle of its extended designation period. *Nat'l TPS All.*, 2025 WL 957677, at *1. And *Doe* concerns DHS's categorical, early revocation of existing grants of humanitarian parole to noncitizens from Cuba, Haiti, Nicaragua, and Venezuela. *Doe v. Noem*, ___ F. Supp. 3d ____, No. 1:25-cv-10495, 2025 WL 1099602, at *1 (D. Mass. Apr. 14, 2025). Whatever the Supreme Court's reasoning for granting those stays, its preliminary views, rendered on a truncated timeline and with limited briefing and no oral argument, do not forecast how it would evaluate the balance of the equities—or any other issue—in this unrelated case. *See Merrill v. Milligan*, 142 S. Ct. 879, 879 (2022) (Mem.) (Kavanaugh, J., concurring) (a stay order "is not a ruling on the merits, but instead simply stays the District Court's injunction *pending a ruling on the merits*").

Defendants also argue that the balance of the equities favors them because of the unfettered discretion they believe the TPS statute confers to DHS. Defs.' Br. 21. But that just presumes an outcome on the merits in their favor—especially on their overbroad interpretation of Sections 1254a(b)(5) and 1252(f)(1)—which CASA strongly contests. *See* pp. 2–10, *supra*. In addition, Defendants argue that Executive Order 14,159 pushes the equities in their favor, Defs.' Br. 21—knowing that the termination notices invoked the Order to manufacture support for Secretary Noem's preordained decisions in the first place, 90 Fed. Reg. at 20,311; 90 Fed. Reg. at 23,698. All Executive Order 14,159 requires with regard to TPS designations—at least on its face—is that DHS make determinations "consistent with the provisions" of the TPS statute. 90 Fed. Reg. at 8,446. The relief CASA seeks is fully consistent with—and, indeed, vindicates—that decree.

C. CASA's Requested Relief Is Limited to What the APA Expressly Permits

CASA does not seek an injunction as a remedy for its APA claims. *See* p. 9, *supra*. Instead, the ultimate remedy CASA seeks is vacatur of the terminations of Afghanistan's and Cameroon's

TPS designations, which is a "less drastic remedy" than an injunction. *Monsanto*, 561 U.S. at 165–166. The same is true of a stay of agency action under 5 U.S.C. § 705.[10] And as with "ultimate relief" under the APA, "[n]othing in the text of Section 705 . . . suggests that" such relief "needs to be limited to" a membership organization or "its members." *Career Colls. & Schs. of Tex. v. U.S. Dep't of Educ.*, 98 F.4th 220, 255 (5th Cir. 2024), *cert. granted on unrelated question*, 145 S. Ct. 1039 (2025) (Mem.).

In arguing the contrary, Defendants rely heavily on dicta from a since-vacated Fourth Circuit panel decision. Defs.' Br. 21–23 (citing *CASA de Maryland, Inc. v. Trump*, 971 F.3d 220, 258–59 (4th Cir. 2020), *vacated for reh'g en banc*, 981 F.3d 311 (2020) (dismissed Mar. 11, 2021)). But even that opinion did not "address whether the APA's specific statutory power codified in section 705 to stay enforcement of a challenged rule reflects considerations beyond those invoked in the exercise of the Court's general equitable powers to grant injunctive relief." *CASA de Maryland, Inc. v. Wolf*, 486 F. Supp. 3d at 972 (internal quotation marks and citation omitted). Most of the other cases that Defendants cite in support of their overbreadth argument are non-APA cases. The legal and policy questions surrounding universal injunctions outside of the APA context simply do not apply to Section 705's congressionally conferred and narrower remedy. *Corner Post, Inc. v. Bd. of Governors of Fed. Rsrv. Sys.*, 603 U.S. 799, 838 (2024) (Kavanaugh, J., concurring) (stating that whereas "background equitable principles may control in . . . non-APA cases," "in the APA, Congress did in fact depart from that baseline").

Even if traditional equitable principles applied, the law of this Circuit is that "a nationwide injunction may be appropriate when the government relies on a 'categorical policy,' and when the

[10] Defendants do not appear to contest that CASA would be entitled to across-the-board vacatur of the terminations if this Court grants CASA summary judgment on its APA claims. To the extent that the Court harbors any doubt as to the appropriate scope of relief under Section 705, it can therefore sidestep that issue by granting CASA summary judgment.

facts would not require different relief for others similarly situated to the plaintiffs." *HIAS, Inc. v. Trump*, 985 F.3d 309, 326 (4th Cir. 2021) (quoting *Roe*, 947 F.3d at 232–233). That standard applies with full force to the terminations of Afghanistan's and Cameroon's TPS designations. If the terminations take effect, they would categorically deprive TPS holders from those countries of their lawful status and related benefits, including work authorization. And the legality of the terminations under the APA does not turn on any facts specific to any individual TPS holder. Universal relief is appropriate here.

Defendants also raise the specter that Section 705 relief in this case would lead to lack of uniformity with the outcome of other "TPS cases" in other jurisdictions. Defs.' Br. 22–23 & n.9. But those other cases concern other countries' TPS designations. No order from this Court could therefore have broad effect on those distinct cases.

CONCLUSION

For the foregoing reasons, CASA respectfully requests that this Court grant summary judgment on Counts I, II, III, IV, VI, and VII of the First Amended Complaint, set aside Defendants' attempted termination of Afghanistan's and Cameroon's TPS designations, and declare that both Afghanistan's and Cameroon's TPS designations are automatically extended by at least six months. To the extent that this Court believes that further factual development is necessary to resolve any of the APA claims (Counts I, II, VI, and VII), CASA requests that this Court postpone the effective date of the termination of Afghanistan's and Cameroon's TPS designations pursuant to 5 U.S.C. § 705 until 60 days after a final judgment issues.

June 10, 2025

Respectfully submitted,

_____/s/_____

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