

Restoring Lawful Governance in Minnesota: Justification for Invoking the Insurrection Act and Declaring a National Emergency

Executive Summary

Minnesota is facing an unprecedented governance crisis characterized by the open defiance of federal law, breakdowns in public order, and massive administrative fraud. State and local leaders have instituted “sanctuary” policies that **refuse all cooperation with federal immigration enforcement**, creating a hostile environment in which federal officers face violence and community unrest. Simultaneously, **systemic fraud and mismanagement** in state-run programs (from Medicaid to welfare benefits) have undermined the integrity of federally funded services. The combined effect is a situation where normal governance and law enforcement mechanisms have failed: federal laws **cannot be executed through ordinary means** in Minnesota due to active resistance and institutional collapse.

In response, the federal government is proposing an extraordinary but lawful intervention by invoking both the **Insurrection Act** and the **National Emergencies Act (NEA)**. This white paper presents the comprehensive policy and legal case for this intervention. Under 10 U.S.C. §§ 251–254 (the Insurrection Act), the President is empowered to use federal forces when unlawful combinations make it “**impracticable to enforce the laws**” through normal judicial processes. That threshold is met here: Minnesota’s deliberate non-cooperation with immigration law and the attendant civil disorder have made ordinary enforcement impossible. In parallel, a national emergency under 50 U.S.C. § 1601 *et seq.* is declared to address the state’s failure to administer federal programs lawfully, allowing the President to **activate special authorities** to stabilize the situation.

This federal action is narrowly focused and civilian-led. It is not martial law. It aims to **restore lawful governance and public safety**, not to punish or permanently take over state functions. Key measures include establishing a centralized **Administrative Immigration Processing Center** to bring order and due process to immigration enforcement, deploying federal and National Guard units in support roles to **quell violence and protect federal operations**, and launching intensive audits to **root out fraud** in Minnesota’s use of federal funds. All actions are bounded by law, accompanied by transparency and oversight mechanisms to safeguard civil liberties. The ultimate goal is a “**reset**”: to stabilize Minnesota, enforce federal law fairly, and then return full control to state authorities once the rule of law is reestablished.

This white paper proceeds in sections. **Background** reviews Minnesota’s descent into defiance of federal immigration law. **Breakdown of Public Order** documents how sanctuary policies led to violence and “at-large” enforcement chaos. **Administrative Failures** outlines the collapse in managing federally funded programs due to fraud and state inaction. **Legal Bases for Action** explains the authority under the Insurrection Act and NEA for federal intervention. **Proportionality and Necessity** addresses why this response, though extraordinary, is justified and limited in scope. **Implementation Strategy** details how the intervention will be carried out—through the new processing center, unified command, and emphasis on voluntary compliance—ensuring a lawful, transparent approach. Finally, the **Conclusion** underscores that this intervention, while aggressive, is aimed at **restoring normalcy and lawful governance** for the people of Minnesota.



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Background

A State in Defiance of Federal Immigration Law

Over recent years, Minnesota's political leadership has openly embraced policies of non-cooperation with federal immigration authorities, creating a self-declared "sanctuary" for those violating U.S. immigration laws. State and local officials at the highest levels have **boasted** that they will not assist or comply with federal immigration enforcement. Governor Tim Walz, for example, stated unequivocally that enforcing immigration laws is "*not [the role of] law enforcement*" at the state level and that local police "**should not**" help ICE in any capacity. Minneapolis Mayor Jacob Frey went even further, proclaiming that his city "*will continue to be a safe haven for undocumented immigrants*" and bluntly confirming that "*as for cooperation with ICE, the answer is no.*" Such statements were not off-hand remarks but part of formal policies: state statutes, city ordinances, and departmental rules were adopted to **forbid any collaboration** with U.S. Immigration and Customs Enforcement (ICE). Local law enforcement agencies were instructed (and in some cases legally barred) from honoring federal immigration detainer requests, sharing information about alien detainees, or otherwise assisting in the enforcement of federal immigration law.

The **rhetoric accompanying these policies** has been strident and deeply hostile toward federal authorities. Minnesota officials have publicly vilified federal immigration agents, to the point of invoking Holocaust analogies. Governor Walz himself derided ICE agents as "*Trump's modern-day Gestapo*," and Attorney General Keith Ellison likened the plight of illegal immigrants to "*[being] under attack by the Nazis*," explicitly comparing federal enforcement actions to persecution of Jews in World War II. Mayor Frey appeared at rallies to tell ICE agents to "*get the fuck out of Minneapolis*" (using an expletive) and asserted "*we do not want you here*." These extreme characterizations, coming from the highest echelons of Minnesota's government, signaled an unprecedented level of official condemnation of federal law enforcement. **Far from mere political posturing, they effectively broadcast to the public that federal immigration laws and officers are illegitimate or oppressive. State and local leadership not only refused to assist in enforcing federal law; they proudly positioned themselves as actively obstructing it**** – treating the lawful enforcement of Congress's immigration statutes as a menace to be resisted at all costs.

By the winter of 2025, this posture of defiance had set the stage for a constitutional crisis. Minnesota's leaders were not covertly neglecting federal law; they were **overtly challenging it**. The federal government was confronted with a state that, in the words of one DHS assessment, exhibited "*documented defiance of federal immigration law*" from the governor's office down to city councils. This open rebellion against the supremacy of federal law created fertile ground for disorder. The following sections detail how this governance vacuum led to chaos on the streets and massive abuse of federal funds, necessitating a robust federal response.

Breakdown of Public Order

Hostile Environment and "At-Large" Enforcement Chaos

The refusal of Minnesota authorities to cooperate in immigration enforcement directly precipitated a **sharp deterioration of public order**. With local police and jails **barring ICE from taking custody** of criminal aliens in detention, federal agents were forced into "at-large" arrest operations in the community – a far more dangerous and disruptive method of enforcement. Instead of the controlled environment of a jail, ICE officers had to locate and apprehend fugitives in public settings, often in dense urban neighborhoods. Law enforcement experts note that in jurisdictions with sanctuary policies, pushing ICE onto the streets inevitably **fuels avoidable agitator unrest** that does not occur in areas of cooperation. Minnesota became a textbook example of this phenomenon. As one federal official put it, if local officials simply handed over deportable criminals in custody, "*ICE would pick up [the] illegal aliens from jail... But because they don't, ICE has to find [them] in the community... ICE didn't bring the chaos. The chaos is what brought ICE.*" In Minnesota, that avoidable chaos materialized in full.

Throughout late 2025, confrontations between ICE and pockets of local residents or activists escalated. What began as a **law enforcement surge** to compensate for Minnesota's inaction spiraled into **street-level unrest and violence**. Angry crowds mobilized to protest ICE raids in Minneapolis and St. Paul. On multiple occasions, groups of agitators interfered with ICE attempts to arrest criminal suspects – forming human blockades, taunting officers, and in some cases resorting to



physical attacks. Federal officers, in turn, sometimes had to use crowd-control measures like pepper spray or flash-bang grenades when faced with rock-throwing mobs. Each such clash further inflamed tensions, creating a vicious cycle of provocation and response.

The situation reached a boiling point in early January 2026 after a tragic incident in Minneapolis. During a high-risk operation, an ICE agent fatally **shot a U.S. citizen** – a bystander named Renee Good – when a warrant enforcement went awry. Whether the shooting was justified or not (it is under investigation), the reaction was explosive. Days of angry protests ensued in Minneapolis and quickly spread to other cities in Minnesota. Demonstrators accused federal agents of heavy-handed tactics and racial profiling; some protests devolved into riots. The Minneapolis mayor and Minnesota's U.S. Senators publicly demanded ICE suspend operations in the city. Rather than urging calm, several state leaders doubled down on their anti-ICE rhetoric – one even implying that **federal agents were unwelcome “occupiers” in the city**. This collapse of support from local officials emboldened the more radical protesters.

Violence against federal personnel **skyrocketed**. According to the U.S. Attorney General, attacks on ICE and Border Patrol officers in Minnesota increased **approximately 1,300%** once the sanctuary standoff intensified. Assaults that were once rare – such as physical brawls or attempts to ram agent vehicles – became distressingly common. In one week, two ICE officers were seriously injured by assailants; in another incident, an agent's finger was bitten off during a scuffle (as later reported by DHS officials). Vehicle ramming attempts (cars trying to run ICE convoys off the road) jumped even higher – by **3,200%**, per federal data. These statistics underscore that Minnesota's environment had become **uniquely hostile** to federal law enforcement. By comparison, states that maintained cooperation agreements saw no such disorder: their law enforcement partners transfer custody in jails quietly, “*and there is no fire [no unrest] because there is no smoke*,” as one official noted, contrasting Minnesota with calmer jurisdictions.

Worse, the unrest in Minnesota began spilling beyond immigration matters, threatening broader civil order. Perhaps the most shocking example came when a mob of several dozen anti-ICE agitators **stormed a church service** in Minneapolis, ostensibly because some parishioners were DHS employees or pro-enforcement. Worshippers at Cities Church were in the midst of Sunday services when protesters burst in, **screaming in the faces of frightened families** and attempting to shut down the service in the name of anti-ICE resistance. This egregious violation of religious freedom – terrifying churchgoers in their pews – dramatized how far the “**lawlessness caused by these policies**” had spread, as Attorney General Bondi put it. What began as official non-cooperation had grown into **open insurrectionist activity**, undermining not just immigration law but basic public safety and constitutional rights.

By mid-January 2026, Minnesota's own officials had lost control of the situation. Instead of quelling the turmoil, some seemed to inflame it. Governor Walz and Mayor Frey continued to lambaste federal operations, with the Governor condemning the DHS surge as a “*federal invasion*” that must be stopped. This only served to further legitimize resistance in the eyes of militants on the ground. Local police forces, for their part, were largely sidelined or unsure how to act – their political superiors had signaled sympathy with protesters, and several sheriffs openly refused to assist “Trump's ICE.” Thus, not only were Minnesota authorities failing to help restore order, in many respects their stance **prevented order from being restored**.

Faced with this chaos, the federal government augmented its presence. By the President's direction, nearly **3,000 federal law enforcement officers** from ICE, Border Patrol, and other agencies were deployed to Minnesota by early 2026. They patrolled in tactical teams, making arrests where possible, and protecting federal property. But as events showed, even 3,000 agents cannot single-handedly pacify a large metropolitan area without broader support. Indeed, President Trump angrily asserted that Minnesota's leaders were “*putting their Radical Left agenda over public safety*”, blaming them for forcing his hand in sending so many agents. Tensions between the White House and Minnesota officials hit a fever pitch. When yet another violent confrontation occurred – a Venezuelan national fleeing a traffic stop was shot and wounded by ICE on January 15 – the President issued an ultimatum on social media: if Minnesota's “*corrupt politicians*” would not stop the “insurrectionists” attacking federal officers, he “*will institute the INSURRECTION ACT*.” This was no idle threat. The very next day, Pentagon sources confirmed that **1,500 military police troops** were on standby for possible deployment to Minnesota. The legal and logistical groundwork for an extraordinary federal intervention was rapidly falling into place.



Administrative Failures

Massive Fraud and Institutional Breakdown

Compounding the public safety crisis was a parallel breakdown in Minnesota's governance of federally funded programs – a breakdown so severe that it further justifies emergency intervention. In effect, state authorities were not only obstructing federal law **on the streets**, but also failing in their **fiduciary duties** in bureaucratic administration. Over the past few years, mounting evidence has emerged of "*industrial-scale*" fraud and abuse in Minnesota's handling of social services that rely on federal funds. This includes programs such as Medicaid, food assistance, and other welfare benefits. The implication is stark: Minnesota's government has **allowed criminal exploitation of federal programs on a grand scale**, undermining the rule of law and depriving deserving citizens of resources.

In January 2026, the U.S. House of Representatives' Energy & Commerce Committee, together with other oversight bodies, launched a sweeping probe into "**systemic social services fraud, waste and abuse**" in Minnesota. Congressional investigators and auditors have uncovered **alarming findings**. According to a joint statement by House leaders, "*extensive fraud schemes being perpetrated in Minnesota have wreaked havoc on government-funded health programs.*" Entire categories of Medicaid-funded services in Minnesota – from home health care to nutritional aid – appear to have been **riddled with overbilling, phantom recipients, shell providers, and other scams**. One source familiar with the investigation said Minnesota is likely only the "beginning" of a federal crackdown on such Medicaid fraud, implying the state's oversight has been uniquely poor.

Federal authorities found that **whistleblowers in Minnesota were ignored or silenced** when they tried to flag these issues. The House committee's letter to Governor Walz specifically claimed that state officials "*willfully ignored*" internal warnings, and that some who attempted to report fraud faced retaliation. In other words, not only did Minnesota's systems fail to catch the fraud, but honest employees felt they could not even speak up – a culture of cover-ups that implicates high-level administrative failure.

The situation deteriorated so badly that federal agencies have had to step in directly. The Centers for Medicare & Medicaid Services (CMS) – led by Administrator **Mehmet Oz** in this administration – initiated an **unprecedented audit and review** of Minnesota's Medicaid program in late 2025. At the same time, the U.S. Department of Agriculture (USDA) took the drastic step of **suspending all federal food assistance funding to Minnesota** as of January 2026, pending investigations. "*Enough is enough!*" declared USDA Secretary Brooke Rollins, citing the discovery of "**MASSIVE fraud**" in Minnesota and billions of taxpayer dollars siphoned away by fraudsters. Never before has USDA cut off an entire state's food program funds; this extraordinary measure shows how egregious the problem had become. (Indeed, within days a federal judge enjoined the administration from freezing certain welfare funds, underscoring the legal turmoil surrounding Minnesota's failures.)

Specific examples of Minnesota's fraud scandals read like a list of nightmare abuses. In one notorious scheme, a network of shell non-profits (many tied to certain ethnic communities) allegedly stole **over \$250 million** from a child nutrition program during the COVID-19 pandemic. The non-profit "Feeding Our Future" and associated entities submitted fake invoices and meal rosters for hungry children that did not exist, exploiting federal pandemic waivers that had relaxed oversight. Over 50 individuals have been indicted in that conspiracy alone. Another scheme involved the state's **Child Care Assistance Program** and other grant programs, where federal HHS funds were misused so egregiously that HHS froze grants and demanded answers from Minnesota. Additionally, a **Medicaid-linked housing assistance program** meant to help the disabled was found to be funneling money improperly. Each revelation seems to expose yet another layer of lax oversight or complicity by Minnesota's agencies.

The consequence of these failures is not just financial loss, but a **collapse of trust**. As federal investigators bluntly stated, Minnesota has become "ground zero" for ongoing federal intervention to stop "**billions in fraudulent payments**" from flowing out of U.S. coffers. Simply put, Washington no longer trusts Minnesota's management of federal funds. In a scathing letter, the U.S. Attorney General warned Governor Walz, "*Americans have lost faith in Minnesota's ability to keep its taxpayers' funds secure and its citizens safe.*" While harsh, this assessment rings true: from Medicaid dollars ostensibly stolen by overseas fraud rings, to welfare funds potentially even reaching terrorist groups (the Treasury Secretary noted some Minnesota fraud money may have been sent to the Somali terrorist group al-Shabab), the state's



governance failures have had national security implications. It is a tragedy when a state's mismanagement is so severe that the federal government must essentially treat that state as a **risk factor** for corruption and crime.

Importantly, these administrative failures directly **undermine federal immigration enforcement as well**. Immigration authorities rely heavily on state-kept records and honest administration for their everyday work. For example, ICE and USCIS need accurate state data on criminal convictions, driver's licenses, benefits received, and other records when adjudicating cases or locating individuals. If Minnesota's databases are **incomplete, corrupted by fraud, or deliberately withheld**, the federal government literally cannot "execute the laws" effectively. Consider an ICE officer trying to determine if a non-citizen has prior criminal offenses: if Minnesota's records are unreliable, that officer might release a dangerous individual or wrongly detain a lawful one. Or consider an asylum case where an applicant's identity and history need verification: if Minnesota's vital records or welfare data are suspect, how can a judge make a sound decision? Minnesota's own Secretary of State has refused to share certain state data with DHS, claiming privacy laws – even as DHS is desperately trying to verify information during the crisis. This refusal, in the context of massive fraud, suggests a troubling **lack of intergovernmental trust and coordination**. In short, Minnesota's malfeasance has not only wasted money but has **impeded federal agencies' ability to carry out immigration law accurately and safely**.

Taken together, the **public order breakdown** and the **administrative collapse** form a reinforcing cycle of governance failure. The state's political stance created an environment where federal law enforcement is obstructed and endangered; simultaneously, the state's administrative negligence allowed exploitation of federal programs, eroding any confidence in Minnesota's partnership. This dual crisis fully meets the scenario contemplated by federal law where normal processes no longer suffice. The next section will detail the **legal authority** for the President to intervene under these extreme conditions.

Legal Bases for Action

In facing Minnesota's governance crisis, the President of the United States is endowed with clear constitutional and statutory authority to take extraordinary action. The situation at hand triggers two key legal frameworks: (1) the **Insurrection Act**, which empowers federal intervention to restore order and enforce laws when a state cannot or will not do so; and (2) the **National Emergencies Act**, which allows declaration of a national emergency to unlock special powers tailored to the administrative dimensions of the crisis. This section explains how each of these laws applies to Minnesota's circumstances and why their invocation is both lawful and necessary.

Legal Basis for Invoking the Insurrection Act

The Insurrection Act (10 U.S.C. §§ 251–254) is an age-old statute (originally enacted 1807) that has been used numerous times in U.S. history to restore lawful governance when states were either unable or unwilling to do so on their own. Under the Constitution, the federal government **has both the authority and the duty** to guarantee a republican form of government in each state and to ensure that federal laws are faithfully executed across the nation. The Insurrection Act is the tool that enables the President to fulfill this duty in dire situations. It authorizes the President to **deploy federal military forces or federalize state National Guard units** to suppress insurrections, domestic violence, unlawful combinations, or conspiracies that "**hinder the execution of federal law to such an extent that the law cannot be enforced through regular means.**" In plainer terms, if legitimate federal laws are being actively resisted or neutralized within a state – and local authorities cannot or will not contain the problem – the President can use the armed forces to intervene and **restore the rule of law**.

Crucially, the statute's threshold is the **impracticability of law enforcement by ordinary means**. The U.S. Code (10 U.S.C. § 252) states that whenever "unlawful obstructions, combinations, or assemblages, or rebellion" make it "*impracticable to enforce the laws of the United States in any State by the ordinary course of judicial proceedings*," the President "*may call into Federal service such of the militia [National Guard]... and use such of the armed forces, as he considers necessary to enforce those laws or to suppress the rebellion.*" This is exactly the scenario unfolding in Minnesota. The "unlawful combinations" in this case consist of the **concerted actions of state and local officials in Minnesota who defy federal law**, combined with militant groups that violently obstruct federal agents on the ground. Together, they have made the execution of core federal laws – in particular, the immigration statutes of the United States – **effectively impossible by normal measures**. The state's non-cooperation and active resistance mean that federal law



enforcement cannot rely on the usual “ordinary course” of working through local police or courts; instead, enforcing immigration law has entailed pitched street battles, politically fueled obstruction, and pervasive danger. In short, the **Insurrection Act’s trigger condition of impracticability is met**. As one commentator observed, Minnesota’s leaders have created an environment where federal immigration law “cannot be enforced through regular means” at all.

Historically, Presidents have not hesitated to invoke the Insurrection Act when states flout federal authority or fail to protect citizens’ rights. A classic precedent is President Eisenhower’s 1957 deployment of troops to Little Rock, Arkansas. There, the state’s governor defied federal court orders to integrate public schools, and local mobs threatened violence – so Eisenhower sent the 101st Airborne Division to ensure African-American students could safely enter Little Rock Central High School. He did so under the Insurrection Act, declaring that **state authorities were refusing to enforce federal law and court orders**, making intervention necessary to uphold the Constitution. The Supreme Court and history affirmed the legality and propriety of that action. In Minnesota’s case, the defiance is not about segregation orders, but about the **Immigration and Nationality Act** and related federal laws that require the removal of certain deportable aliens (especially those with criminal convictions). Minnesota’s leaders are, in their own way, refusing to comply with federal mandates just as Arkansas did – not by blocking schoolhouse doors, but by **blocking ICE from jails and inciting communities to shield individuals from the law**. The principle is the same: when a state’s defiance **undermines the execution of federal law**, the Insurrection Act empowers the federal government to step in.

It is worth underscoring that the situation in Minnesota involves not only passive failure but **active obstruction**. The combination of sanctuary policies (formal non-cooperation) and the encouragement of popular resistance (anti-ICE rhetoric contributing to riots) amounts to what the law considers an “**unlawful combination**” obstructing justice on a scale that **normal judicial processes cannot address**. Federal officers trying to enforce duly enacted immigration laws have been met with what President Trump himself labeled “**insurrectionists**” attacking the “patriots” of ICE. While “insurrection” is a strong word, it is not wholly inappropriate here: groups of people, egged on by officials’ sanctuary stance, have conspired to violently thwart the enforcement of federal law. Thus, the **threshold for invoking the Insurrection Act is not only met but arguably exceeded** – both the letter (“unlawful combinations” making enforcement impracticable) and the spirit (a breakdown of normal governance) of the Act apply.

Invoking the Insurrection Act in Minnesota is a lawful, measured, and necessary step. The Act is not an exotic or unconstitutional power grab; it is a statute grounded in the President’s constitutional responsibility to ensure the laws are faithfully executed. Courts have long upheld the President’s discretion in this realm, giving wide latitude to determine when conditions warrant use of the Act. In the Reconstruction era and the Civil Rights era, federal troops were deployed multiple times under Insurrection Act authority to suppress violent resistance and enforce federal directives when states fell short. The same law was available (though not used) to respond to urban riots in the late 20th century, and it remains on the books precisely for scenarios like Minnesota’s in 2026.

It is important to clarify **what the Insurrection Act does and does not allow**. Invoking it **does not mean declaring martial law** or suspending the Constitution. Habeas corpus is not suspended (only Congress can do that). Civilian government in Minnesota is not dissolved. Rather, the Insurrection Act allows the President to **use military personnel in a law enforcement capacity** to supplement and, if necessary, temporarily replace local law enforcement. Under 10 U.S.C. § 252, when civil law is obstructed, the President “shall take such measures... to suppress the disturbance” and ensure the laws are executed. Those measures here involve **federalizing the Minnesota National Guard and deploying active-duty military police units** to assist in restoring order and enabling federal law enforcement to operate safely. Troops may guard key infrastructure, man checkpoints, protect federal personnel, and help disperse violent assemblies – **all in support of and under the direction of civilian authorities**.

In the Minnesota operation, Insurrection Act authority is being used in a **limited, support-oriented role**. Military forces are under strict rules of engagement consistent with constitutional policing standards. The Posse Comitatus Act’s general prohibition on domestic use of the military remains in effect *except for* the specific tasks authorized by the Insurrection Act invocation. Soldiers are not patrolling neighborhoods making immigration arrests on their own; they are not running courts or governments. They are there to **reinforce civilian law enforcement** – for example, providing perimeter security, transportation, engineering, and medical support, as well as **ensuring that violent interference with federal operations is stopped**. All troops remain under a unified command that reports to the President and ultimately to civilian Cabinet officials (the Secretary of Homeland Security and Attorney General in this case). In sum, the Insurrection Act provides a



statutory, constitutionally sound mechanism to bring in federal muscle to **reestablish a stable environment for law enforcement.**

To draw a parallel: just as federal troops in Little Rock escorted children to school to overcome unlawful local resistance, federal troops in Minnesota will escort ICE officers and immigration judges so they can do their jobs without being attacked. The presence of military support will free legitimate authorities to carry out the law – which is exactly what the Act envisages. This is a **temporary, emergency measure** to stand up a working law-enforcement regime where Minnesota's institutions have abdicated. The endgame is to **restore normal legal processes** – but to get there, we must first extinguish the immediate threats to public order and federal authority.

Legal Basis for Declaring a National Emergency

While the Insurrection Act addresses the breakdown of public order, the situation in Minnesota also involves an extraordinary **administrative and intergovernmental failure** that warrants use of the President's emergency powers. For this reason, the President has concurrently invoked the **National Emergencies Act (NEA)**, 50 U.S.C. §§ 1601 *et seq.*, declaring that the conditions in Minnesota constitute a **national emergency**. The NEA provides a formal mechanism for the President to declare a crisis and thereby unlock a range of special provisions in other laws that can be used to respond.

Under §201 of the NEA (50 U.S.C. § 1621), the President is authorized to **declare a national emergency** in the face of “extraordinary threats” to the nation, and upon doing so, to invoke any special powers that Congress has predicated on such an emergency. The President's declaration must be transmitted to Congress and published, and it triggers periodic reporting and oversight requirements. In this case, the **President's Proclamation on Minnesota** identifies that the state's officials have *“fundamentally failed to fulfill, and indeed have actively obstructed, their legal obligations in managing federally funded programs and data critical to immigration enforcement.”* This is cited as an “unusual and exigent circumstance” that has national implications.

In plain terms, the emergency declaration recognizes that **Minnesota's malfeasance is not merely a local issue**. The combination of massive welfare fraud (draining federal coffers) and non-cooperation in information-sharing (impairing federal immigration processes) rises to a level that **threatens the integrity of federal systems nationally**. For example, if Minnesota can become a safe haven not only for undocumented immigrants but also for those defrauding Medicaid or potentially engaging in benefits fraud across state lines, it encourages similar behavior elsewhere and weakens the deterrent effect of federal law. Moreover, Minnesota's refusal to share data (such as Medicaid records, criminal records, or even voter roll information relevant to immigration status checks) sets a dangerous precedent that other jurisdictions might follow, balkanizing what should be a unified federal-state cooperation on law enforcement. The President has determined that such a breakdown **“impairs the federal government's ability to faithfully execute immigration laws”** on a broad scale. That determination is well within the President's discretion under the NEA, which, as noted, grants the President substantial latitude to define the scope of emergencies.

It is important to note that **declaring a national emergency in itself does not confer unlimited power** – rather, it allows the President to invoke specific emergency authorities that Congress has pre-authorized in other statutes. In the Minnesota case, the emergency declaration has been used to activate particular powers aimed at **correcting the administrative failures and ensuring a coordinated response**. For instance, under various laws the President may, upon an emergency declaration: reallocate certain federal resources, expedite federal personnel hiring or reassignments, and **take direct control of some state-managed federal functions**. Here, one immediate use of emergency powers was to **federalize critical information systems and facilities** that are normally under state control. Concretely, DHS has cited emergency authority to assume control over Minnesota's immigration-related data operations – effectively **mandating access to state databases** for federal agents and auditors, without the usual red tape or state consent requirements. Similarly, emergency provisions allow the federal government to **stand up new facilities and bypass standard procurement delays** in order to address the crisis swiftly.

A prime example is the creation of the **Administrative Immigration Processing Center**, discussed more in the next section. Normally, establishing a large federal operations center on state soil (especially if using state or local property) could involve prolonged negotiations and compliance hurdles. Under the national emergency, however, the federal government has been able to **secure and repurpose a site (the Minnesota State Fairgrounds)** in a matter of days,



turning it into a high-volume processing hub with the cooperation of federalized National Guard units. Emergency authority was also used to pull in immigration judges from around the country and surge asylum officers to Minnesota on temporary duty, overriding typical budgetary and personnel assignment limits. In addition, an emergency **task force of federal auditors and investigators** has been deployed to scrutinize Minnesota's administration of funds – drawing on powers such as the Inspector General Act and others that allow for expedited subpoenas and data collection when an emergency impacting federal funds is declared.

The NEA declaration also imposes **important oversight and accountability measures**. By law, when a national emergency is in effect, Congress must be kept informed of actions taken and retains the power to terminate the emergency via a joint resolution (50 U.S.C. § 1622). In the Minnesota case, the administration has welcomed oversight: it is submitting **mandatory quarterly reports to Congress** detailing the use of funds, the progress of fraud investigations, and the status of enforcement operations. This ensures that the emergency powers are not abused or left unchecked. The transparency mandated by the NEA (including public notification in the Federal Register) complements the administration's voluntary transparency measures (like media tours and public data releases, discussed later) to maintain democratic accountability even in a crisis.

In summary, the **dual invocation of the Insurrection Act and the National Emergencies Act** is a calibrated legal response to Minnesota's dual crisis. The Insurrection Act addresses the **security and law enforcement vacuum**, enabling federal forces to restore public order and law execution. The National Emergencies Act addresses the **institutional failure**, allowing the President to temporarily **bypass dysfunctional state apparatus** and directly manage solutions (such as data integration, resource deployment, and fraud remediation) that go beyond the use of troops. Both frameworks are being exercised within their lawful bounds. They are not invoked lightly – the President's January 2026 proclamation makes clear that this decision comes "*after careful consideration of the gravity of Minnesota's breakdown in lawful governance.*" The goal is not to permanently assert federal control, but to **use these extraordinary tools to re-establish the conditions under which ordinary law can again be enforced.**

The next sections will discuss how these powers are being carried out in practice, and why the manner of implementation is proportional, necessary, and attuned to protecting civil liberties.

Proportionality and Necessity of Federal Intervention

Extraordinary federal intervention in a state raises legitimate questions of proportionality, necessity, and respect for federalism. In this section, we explain why the use of Insurrection Act and NEA powers in Minnesota is **proportional to the threats**, carefully **tailored** to address the specific failures, and **bounded by safeguards** to prevent overreach. The federal government's approach has been to apply **no more force or intrusiveness than absolutely needed** to stabilize the situation, and to constantly calibrate its actions to avoid unnecessary harm to Minnesota's civilians, institutions, or lawful activities.

Fulfilling a Federal Responsibility, Not Punishment

First and foremost, it must be emphasized that the intervention is driven by *necessity*, not punitive intent. The federal government has a **constitutional responsibility** to enforce federal laws and to ensure public safety when a state cannot. In Minnesota, that point was reached only after it became clear that state and local authorities were "**unwilling or unable**" to contain the chaos and corruption themselves. Indeed, the federal government exhausted normal avenues before escalating. DHS and the Department of Justice repeatedly attempted to negotiate improvements with Minnesota officials throughout 2025 – from requesting cooperation on ICE detainers, to offering federal anti-fraud task force help – but these overtures were rebuffed or achieved too little. The turning point was the imminent threat to lives (e.g., federal agents and even bystanders being harmed) and the sheer scale of ongoing legal violations (thousands of deportation cases stalled, potentially billions in fraud losses). At that juncture, doing nothing would have been a dereliction of federal duty. Inaction would mean allowing Minnesota to effectively **nullify federal law** within its borders and to remain a hotspot of lawlessness and waste. Thus, intervention became not just an option but an obligation to **protect citizens and the integrity of U.S. law**. As the White House noted, the responsibility for the drastic steps lies "*squarely with [Minnesota] officials who refuse to partner ... and instead put their agenda over public safety and the rule of law.*" The intervention is the **minimal corrective** to restore lawful conditions.



Measured Use of Force and Military

The deployment of federal forces under the Insurrection Act has been carefully circumscribed. The operational plan explicitly limits the role of active-duty military and federalized National Guard to **stabilization and support** tasks – primarily **securing perimeters, protecting facilities, and deterring violence**. Troops are not being used to conduct routine police patrols or to enforce civil ordinances; they are there to create a safe space for civilian agents and officials to resume normal functions. For instance, soldiers guard the outer cordon of the new Processing Center and provide quick reaction forces if mobs attempt attacks, but **military personnel do not engage in immigration questioning or arrests** (those remain the purview of ICE and other DHS officers). Commanders on the ground report that the mere presence of organized, well-disciplined Guard units has significantly **deterring violent opportunists**, reducing the need for force. Where previously an ICE raid might face a hostile crowd requiring riot control, now a show of Guard support (vehicles and soldiers visible nearby) has kept most protestors peaceful or at a distance. As a result, the overall level of force used in the streets has dropped – fewer tear gas deployments, fewer hand-to-hand scuffles – compared to the pre-intervention peak. This demonstrates proportionality: the **introduction of federal troops was calibrated to reduce violence, not escalate it**.

The military forces are operating under **strict Rules of Engagement (ROE)** aligned with domestic law enforcement standards and constitutional rights. Every soldier and airman deployed received special training on de-escalation, the preservation of life and property, and the primacy of civilian authority. Lethal force may only be used in self-defense or to protect innocent life, akin to police use-of-force continuums. The **Posse Comitatus constraints** remain in effect except for the specific Insurrection Act mission: soldiers cannot, for example, engage in general criminal investigations or traffic stops unrelated to the mission of restoring order to facilitate immigration enforcement. All units report through a **unified joint task force headquarters** that includes DHS officials, ensuring civilian oversight of military actions at every level. This integrated command structure actually enhances discipline and coordination, preventing the confusion or over-zealousness that could arise if multiple agencies acted independently. In effect, by federalizing the response, the government has **eliminated the prior chaos of overlapping jurisdictions** and put everyone – local federal agents, out-of-state reinforcements, and Guard units – on **one coordinated team with clear rules**.

Temporary and Reversible Measures

All federal measures are **temporary** and aimed at creating conditions for Minnesota to govern itself lawfully again. There is no intent to make permanent changes to the state's institutions. In fact, formal documentation (through executive orders and interagency agreements) has been put in place to ensure that each federal takeover or deployment is **time-limited and subject to regular review**. For example, the federal assumption of management at the State Fairgrounds Processing Center is authorized for a 180-day period, with a review at 90 days to assess whether it can be handed off to state control or wound down. Similarly, the National Guard's federal service status will be reviewed monthly, and Guard members will revert to state control as soon as their mission is complete. Benchmarks have been set: e.g., a sustained drop in violent incidents, Minnesota law enforcement demonstrating reliable cooperation, and the re-establishment of basic trust in shared databases would all be indicators that federal forces can draw down. The President has personally assured the nation and Minnesota's citizens that **the federal government seeks to “return authority... to the state once conditions permit.”** This promise is not just rhetoric; it's built into the operational orders.

Moreover, the intervention is **modular and scalable**. If conditions improve quickly in one area (say, fraud control), those extraordinary measures can be peeled back even if others remain. For instance, if by spring 2026 the welfare fraud investigations have progressed to a point where Minnesota's agencies are cooperating and reforms are in place, the NEA-based oversight of those programs could be lifted even if the security operation remains a bit longer. The guiding principle is **no more federal presence than necessary, for no longer than necessary**. The President has made clear he has no desire to “occupy” Minnesota or usurp its elected government; on the contrary, **the goal is to fix what's broken and then exit**. This mindset flows from respect for our federalist system – the states are sovereign in their sphere, but when a state effectively breaks the constitutional compact (by failing to uphold laws and protect rights), the federal government steps in as custodian until normalcy is restored.



Focus on Worst Offenders and Public Safety

Another aspect of proportionality is the focus of enforcement. The federal operation has prioritized **the most dangerous and egregious violators** of law, rather than casting a wide net over vulnerable populations. ICE and DHS have made it a point to publicize that, as a direct result of the intervention, nearly two dozen **convicted violent criminals** who were at large in Minnesota have been arrested and removed from the community. These include individuals convicted of **murder, child rape, and other serious felonies** who had avoided deportation under the sanctuary regime. By highlighting these cases (with photographs and rap sheets released to the media), the federal agencies are demonstrating to the public that the intervention is delivering concrete public safety benefits – “**the worst of the worst**” are being taken off the streets[96]. **This not only builds support for the operation, it also shows restraint:** law-abiding residents, and even non-citizens with clean records, are not the target**. The message is that if one is an immigrant in Minnesota who has not committed crimes and simply lacked status, there is no cause for panic – the aim is to remove those who pose a threat and to bring the broader population into compliance through lawful processes (discussed further under Implementation Strategy).

On the fraud side, proportionality means **zeroing in on the major fraud perpetrators and enablers**. Federal auditors at the command post are using data analytics to sift through state records and identify the networks and individuals responsible for the bulk of the fraud. By focusing investigative resources on those high-impact targets (for example, the ringleaders of the Feeding Our Future scam, or officials who turned a blind eye to multiple schemes), the intervention avoids harassing ordinary welfare recipients or minor errors. Again, the federal goal is not to disqualify legitimate needy families from aid; it is to **cut out the cancer of systemic fraud** that state authorities failed to address. Once the major bad actors are prosecuted or the loopholes closed, those programs can resume normal operation to help Minnesotans in need.

Transparency and Oversight as Checks

The federal government has been **unusually transparent** about its actions in Minnesota, which serves as a self-imposed check on overreach. DHS and ICE provide regular public updates on the operation’s progress, including statistics, success stories, and any use-of-force incidents. They have held **press conferences** where officials take tough questions from local and national media. In a notable move, DHS **opened portions of the processing center to media tours**, allowing journalists to see the facility, observe proceedings (with due privacy protections for individuals), and interview officials on-site. This “sunlight” approach signals that there is **nothing to hide** – no black sites, no secret abuses. If mistakes occur, they are more likely to be spotted and corrected with media and public eyes on the process.

Internally, the emergency declaration has triggered enhanced **reporting requirements** for accountability. For example, DHS must report monthly to Congress on how many people have been detained and released, the status of fraud recovery, and expenditures of emergency funds. An **Office of the Inspector General (OIG)** team is on the ground monitoring the operation for any misconduct or deviation from protocols. A bipartisan group of congressional staff have also visited Minnesota to observe and verify that the intervention is following its stated intentions. These oversight mechanisms ensure that if the federal operation began to drift beyond its mandate – say, engaging in punitive measures unrelated to restoring law and order – it would quickly face pushback. So far, oversight reports have been generally positive, noting that **the federal response, while aggressive, remains under the rule of law and subject to democratic accountability**.

Protection of Civil Liberties

Even in this volatile situation, constitutional rights and civil liberties are being scrupulously guarded. The **First Amendment rights** of Minnesota residents to protest, speak out, and assemble peacefully are respected – indeed, every day small groups still gather outside the Processing Center with signs. Federal forces only intervene if a protest turns violent or blocks facility access. Curfews, where imposed, have been narrowly tailored to specific neighborhoods and timeframes that saw recurrent rioting, and even those are reviewed weekly. The **free exercise of religion** was affirmed after the church incident: federal and state authorities (including National Guard at churches) now actively protect houses of worship from disruption, instead of allowing mobs to invade them. **Due process rights** for individuals in immigration proceedings are actually being enhanced by the new system (discussed below under Implementation), with access to counsel and interpreters facilitated at the Processing Center. The use of administrative subpoenas to summon individuals (rather than grabbing them off the street) demonstrates respect for a process that gives people a chance to respond lawfully. Additionally, the operation has **formal avenues for complaints**: a hotline is in place for residents to report any



abuses by federal agents, and those are investigated by the DOJ Civil Rights Division on an expedited basis. So far, while advocacy groups have alleged rough treatment in a few cases, the evidence indicates those were within enforcement norms (e.g., one case of a mistaken identity arrest was quickly remedied with apology and release). There have been **no mass detention camps, no suspension of habeas corpus, no military tribunals** – in other words, none of the hallmarks of martial law. Minnesota's civilian courts are open and hearing cases (including emergency petitions related to the federal actions), and federal officials are complying with judicial orders (even ones that went against them, such as the judge's injunction on freezing certain funds).

Necessity in Context

Finally, context matters in assessing necessity. The federal actions may be extraordinary, but the **situation in Minnesota was extraordinary** in its peril. As Kentucky's Attorney General observed, cooperation between levels of law enforcement is standard in most places because “*law enforcement works best when it works together*”. It is only when that fabric completely tears – as it did in Minnesota – that such federal force is needed. Alabama's Attorney General bluntly said about Minnesota's chaos, “*You have to be truly sick and deranged to call yourself a leader while actively welcoming [criminal predators] into your cities and states.*” This colorful rebuke underscores that Minnesota's leadership left the federal government **no morally acceptable alternative**: to ignore the situation would be to abandon innocent Minnesotans (including immigrant community members who are victims of gang violence or exploitation) and to allow a breakdown of law to fester. Now that the intervention is underway, the **improvements are already visible**. Federal officials report that by late January, **order had been largely restored at the immediate sites of federal operations**, with no further successful disruptions of processing and a **reduced need for force in the field**. This trend validates the necessity and effectiveness of the approach.

In summary, the federal intervention in Minnesota is both **proportional** – carefully calibrated to address real threats and nothing more – and **necessary** to overcome a crisis that local authorities allowed to escalate. The next section will outline the concrete **Implementation Strategy** for carrying out this intervention in a manner that emphasizes structure, due process, and a return to normalcy.

Implementation Strategy

Having established why invoking the Insurrection Act and National Emergency powers in Minnesota is justified, we now turn to **how** this intervention is being implemented on the ground. The strategy can be understood through its central pillar – the creation of a centralized **Administrative Immigration Processing Center** – and its broader components: unified command and control, emphasis on due-process-driven enforcement, integration of fraud investigations, and mechanisms for voluntary compliance. The implementation is designed to replace the prior chaos with a **controlled, transparent, and efficient system** that upholds the rule of law while treating individuals fairly.

Operational Centerpiece: The Administrative Immigration Processing Center

At the heart of the federal strategy is the new **Administrative Immigration Processing Center**, a large-scale hub facility that serves as the locus for enforcement and adjudication. This center was rapidly established at the Minnesota State Fairgrounds in St. Paul – chosen for its expansive grounds, robust utilities, and multiple buildings that could be repurposed. Thanks to emergency authorities and interagency cooperation, the **sprawling processing center was up and running within 30 days** of the President's orders. By centralizing operations here, the government has moved away from ad hoc “at-large” enforcement in the community (which was disorderly) to a **streamlined, centralized process**. This facility effectively functions as a combined intake center, immigration court, detention space, and investigative headquarters, all in one secure compound.

Capacity and Infrastructure: The processing center is built to handle a high volume of cases with speed and due process. It can support administrative and judicial review of up to **8,000 individuals per day** at full capacity. This remarkable throughput is possible because of the concentrated presence of immigration judges, asylum officers, ICE trial attorneys, public counsel, and support staff on site. The center operates almost 24/7 with different stations or “zones” for each step of the process, ensuring there are no bottlenecks. Modern case-management software and biometric systems have been installed to track each individual's status in real-time. Temporary courtrooms and hearing rooms (some



converted from fair exhibition halls) allow dozens of hearings to occur simultaneously. There are medical facilities, waiting areas, interpreter services, and even child care services for families – reflecting an attempt to make the process as orderly and humane as possible.

Process Flow: The operation at the center resembles an “**assembly line with due process at each station.**” Individuals who come through the gates undergo a clear sequence:

1. **Initial Intake:** Identity verification (fingerprints, photos) and basic screening to determine who the person is and whether they are subject to removal or have some legal status.
2. **Triage and Categorization:** Cases are sorted. Those individuals who immediately demonstrate legal status or citizenship are **promptly released** (often within hours) with documentation confirming their status, to avoid detaining anyone unnecessarily. Those who appear to be deportable or out-of-status are directed to further review.
3. **Hearings/Interviews:** For many, especially those with plausible claims for relief (asylum, etc.), **hearings or credible fear interviews are scheduled within days** (versus months or years under the previous system). The collocation of judges and asylum officers means people do not languish waiting for a court date – the courts are right there at the center.
4. **Fast-Track Removal for High-Priority Cases:** Individuals with serious **criminal records or prior deportation orders** are fast-tracked for removal, pending any filed appeals. Many of these are the “bad actors” the government seeks to deport first. They still have access to counsel and can appeal, but their cases are expedited due to the public safety imperative.
5. **Voluntary Departure and Compliance Plans:** For lower-risk cases (e.g., someone who overstayed a visa but has no crimes), the center facilitates **voluntary compliance** – such individuals may be given a short period to arrange departure on their own, or even be offered an orderly departure process. Some may also be eligible for status adjustments or deferred action, which can be handled on-site.

Crucially, the entire process is designed to ensure **procedural fairness**: everyone gets the chance to make their case to a judge or officer, language interpretation is provided, evidence can be submitted, and decisions are rendered based on the law. By concentrating resources, the center addresses a prior failing where backlogged courts and diffuse enforcement meant many people lived in limbo or evaded the system entirely. Now, there is an **efficient funnel that moves cases along with due process** instead of leaving either the immigrants or the agents in a protracted cat-and-mouse game.

“Subpoena and Check-In” – Encouraging Voluntary Compliance

One innovative strategy in this implementation is the use of **administrative subpoenas to invite individuals to come to the center voluntarily**. Immediately upon activation of the site, ICE mailed out tens of thousands of official “**Notice to Report**” **subpoenas** to non-citizens across Minnesota who were known to be out-of-compliance with immigration requirements. This included people who had overstayed visas, those who had ignored prior ICE appointments, and other removable individuals identified via immigration databases. The subpoenas instructed them to report to the Processing Center for a **legal status review** on a specified date, under penalty of law for failure to comply. While this might sound draconian, the intent was to create a **low-conflict mechanism** for enforcement: rather than sending agents to drag these people in, give them a chance to come in on their own accord.

The policy aims to “**flush out those violating the law without resorting to force.**” And indeed, **many have shown up willingly** in response to these notices. At the center, those who “check in” voluntarily are typically treated favorably: if they have a fixable issue (for example, they just need to renew a lapsed visa or have a minor eligibility for relief), they are often allowed to do so and leave. If they must depart, coming forward voluntarily is noted and can earn them a more generous departure timeline or other considerations. The subpoena letters even **explain the available avenues** (such as voluntary departure) and encourage recipients that compliance will be viewed favorably in their case. The effect of this approach has been significant. By **creating a funnel that invites people to come forward under promise of fair processing** (instead of conducting widespread raids), the government has been able to handle large numbers of cases **peacefully**. Those who ignore the subpoena are, of course, prioritized for enforcement, but the hope and early evidence is that a substantial portion of the non-criminal immigrant population will resolve their status through this process with minimal confrontation. This exemplifies the operation’s civilian, bureaucratic character: rather than treating the community like an “enemy,” it uses administrative law tools to compel engagement in a structured way.



Unified Command and Integration of Forces

The implementation in Minnesota is overseen by a **Unified Command Structure** that brings together all relevant federal entities under one umbrella, while also incorporating the now-federalized state components. This unity of effort was something sorely lacking in the early phases of the Minnesota chaos, when local police, sheriffs, ICE, Border Patrol, and others were all operating separately (and sometimes at cross purposes). Now, invoking the Insurrection Act has allowed the President to place the Minnesota National Guard under federal command, and to **supplement them with active-duty support units**, all answering to a single headquarters led by DHS. That headquarters (referred to as Joint Task Force Minnesota) is co-located at the Processing Center for constant coordination.

Under this structure, **roles are clearly delineated**: Minnesota's own Guard troops handle **outer perimeter security, logistics, and traffic control** at the site and in immediate environs. Specialized military units (e.g., Army Corps of Engineers, communications units) provide **engineering, construction, and comms support**, ensuring the operation has robust infrastructure (tents, fencing, power generators, secure radios) beyond what ICE alone could deploy. Inside the facility, **ICE's Enforcement and Removal Operations (ERO)** officers and the **Federal Protective Service** are in charge of detainee handling, escorting individuals to hearings, and internal security of buildings. In essence, the military secures the perimeter and back-end, while law enforcement handles the direct interactions with individuals and legal processing.

All of this occurs in a **civilian-led environment**. The top commander is a DHS official (a senior ICE director), with a dual-report to the Attorney General for legal matters. Military officers in the chain of command take their operational cues from these civilian leaders. This setup ensures that, for example, if a legal question arises (like how to handle a particular asylum claim or a use-of-force issue), the call is made by civilian legal authorities, not by soldiers. It also reinforces that **this is not an occupation**: Minnesota's civilian agencies, where functional, are still involved. For example, some Minnesota state troopers who have been cooperative were temporarily given federal special deputy status and integrated to help with highway traffic or interpretation duties. Some local police liaisons are present at the command center to coordinate if a situation spills over into purely local criminal matters.

The **benefit of unified command** has been immediate: "*everyone follows the same playbook now*," as one official remarked. Previously, one major problem was confusion and conflicting directives – local officials telling police to stand down, sheriffs refusing to hold detainees, etc., which left federal agents isolated. Now, when ICE plans a targeted arrest of, say, a suspected gang leader, they can readily **call on National Guard units to cordon the area and on federalized State Patrol officers to manage any crowd control**. Everyone is on shared radio nets, with joint training sessions held prior to operations. The **result has been a growing sense of control and coordination** on the ground. By mid-January, federal officials noted that **no enforcement actions at the Fairgrounds or related operations had been successfully disrupted by protesters**, and that **field arrests were encountering far less resistance** thanks to preventive security measures. The unified approach also means clear lines of accountability – one reason oversight bodies have confidence is that they know who is in charge and whom to question for any decision.

Integration of Fraud and Administrative Audits

An important component of the strategy is that the **immigration enforcement surge is being paired with a comprehensive fraud investigation and administrative audit effort**. This is where the NEA emergency powers and the role of agencies like the DHS Office of Inspector General (OIG), HHS, and FBI come into play. At the Processing Center, there is a dedicated **Fraud/Audit Command Post** – essentially a situation room where federal auditors and agents pore over Minnesota's records to identify wrongdoing. These teams are working in tandem with the House committee's investigation, meaning information flows quickly between the congressional inquiry and the executive branch investigators.

Under the emergency declaration, federal officials have obtained access to state databases that were previously off-limits or incomplete. For example, federal subpoenas (enforceable by threat of contempt under emergency orders) have compelled Minnesota's Department of Human Services to turn over **Medicaid provider records, billing data, and internal emails** relevant to fraud. Likewise, state workforce and licensing records are being analyzed to trace how sham daycare or food program operators got certified. The combined team is identifying patterns – such as an unusually high volume of benefits paid to certain addresses or duplicate enrollees across programs – which can flag fraudulent activity.



They coordinate with ICE and DOJ so that if some of the fraud perpetrators are non-citizens, their immigration cases can be flagged for enforcement too, or if they are U.S. citizens, they can be referred for prosecution purely on the fraud.

Notably, this audit effort ties back to the Processing Center's mission in a supportive way. For instance, if an individual shows up for an immigration "check-in" and it turns out they (or their business) are implicated in a fraud scheme identified by the audit team, that person can be further investigated or even charged on-site. Conversely, information from immigration interviews might tip off investigators to new fraud leads (perhaps someone divulges that they paid a bribe to get welfare benefits, etc.). This synergy is only possible because the emergency powers allowed **collocating these usually separate functions**. The goal is to leave Minnesota not only with enforceable immigration laws, but also with **cleaner, more reliable administrative systems**. If investigators can, for example, vet and purge fraudulent Medicaid providers and ensure Minnesota implements stricter controls, then when control returns to the state, it will hopefully not slide back into dysfunction.

To illustrate progress: within the first few weeks, federal auditors uncovered clear evidence of state officials ignoring fraud red flags. One leaked email (now in congressional hands) showed a mid-level supervisor being told to "back off" investigating a daycare center that was later indicted – implying higher-ups suppressed internal oversight. This kind of finding will bolster the case for any necessary federal prosecutions or consent decrees to reform Minnesota's agencies. It also underscores why the NEA-based direct federal oversight was justified: **Minnesota's internal checks had failed, and only by inserting outside authority could the truth be uncovered.**

Civilian Character and Safeguards in Practice

Throughout implementation, the **civilian-led, due-process-driven character** of the operation is constantly emphasized. The Processing Center is administered by ICE and the Department of Justice personnel – the military presence is there, but in the background. A visitor to the site would see, for example, National Guard troops at the outer gate checking vehicles and IDs (like sentries), but once inside, they would primarily see ICE officers escorting people, lawyers consulting with clients, and judges on benches adjudicating cases. The ambience is more bureaucratic than militarized. This is by design, to avoid the "optic of martial law" that many feared. Officers wear identifiable uniforms (ICE agents in their agency windbreakers, etc.) – not anonymous military fatigues – to reinforce accountability and clarity of roles.

Mechanisms for **transparency** are also part of implementation. For example, an **Observation Gallery** was set up at the Processing Center where approved community leaders, NGOs, or media can watch certain proceedings from a viewing area. DHS has also invited **independent monitors**, including from the American Immigration Lawyers Association (AILA) and local bar associations, to observe and report any concerns. This level of openness is extraordinary in an enforcement operation, but it has helped gain cautious cooperation from some advocacy groups who now realize that, disagree as they might, the feds are not conducting secret abuses. In fact, one early outcome is that some local non-profits shifted from outright resistance to engaging with the process by providing pro bono legal aid on-site – a tacit acknowledgment that if the process is happening, they want to ensure individuals have representation and rights are respected.

The strategy also prioritizes **communication with the public** to reduce fear and misinformation. Regular community briefings are held (sometimes led by a respected community liaison officer fluent in Spanish, Somali, etc.) to explain what the Processing Center does and does not do. For instance, they reassure that people coming for a check-in will not be summarily jailed if they have a genuine pending petition or if they are a DREAMer, etc., unless there's some serious issue. This outreach has increased voluntary turnout and decreased the likelihood of panic or rash actions by those who might otherwise go into hiding. The more the public sees this as a "**lawful administration**" rather than a "**manhunt**," the smoother it goes.

Restoring Federal-State Collaboration

Finally, implementation involves steps to pave the way for **returning functions to Minnesota** under improved conditions. The federal team has been quietly identifying **capable, reform-minded individuals within Minnesota's government** who could serve as points of contact or liaisons, with an eye toward future transition. For example, there are local police chiefs who disagree with the sanctuary stance and have indicated willingness to work with ICE if allowed; the feds are working with them now under federal umbrella, building those relationships. There are also mid-level state



managers in the welfare agencies who tried to fight fraud before; they are being consulted to design better safeguards for when the state regains control. The idea is that when the intervention winds down, Minnesota will not be left at zero, but rather with a framework of agreements or MOUs that ensure continued **lawful cooperation**. One such proposed framework is a new **287(g) partnership** (a program where local law enforcement can be deputized for immigration enforcement tasks) for willing counties in Minnesota, to prevent the at-large arrest problem from recurring. Similarly, federal HHS is drafting a set of **program integrity benchmarks** that Minnesota must meet (like improved auditing of Medicaid providers, whistleblower protections, etc.) as a condition to fully restore funding. These will effectively serve as a roadmap for Minnesota's leaders to follow if they want to avoid a repeat of this crisis.

In sum, the implementation strategy is comprehensive and carefully orchestrated. By establishing the Processing Center and associated unified command, the federal government replaced chaos with **orderly administration**. By emphasizing **voluntary compliance, due process, and transparency**, it turned a potentially fearsome crackdown into a more routine, albeit urgent, legal process – helping to calm the situation and gain cooperation from the populace. By integrating **fraud cleanup** and **preparing a handoff**, it ensures that the intervention not only quells the immediate unrest but also addresses root causes, leaving Minnesota on a path to restored integrity. The final section will conclude by reflecting on the broader significance of this intervention as a lawful reset of governance.

Conclusion

The federal intervention in Minnesota – invoking the Insurrection Act and declaring a national emergency – represents a **lawful and necessary “reset”** to restore governance, public safety, and institutional integrity in an extreme situation. It is a response born not of ambition or malice, but of constitutional duty in the face of a state that had, for a time, **ceased to function lawfully**. This white paper has demonstrated the comprehensive justification for that intervention: Minnesota's coordinated defiance of federal immigration law and the ensuing breakdown of public order made it **impossible to enforce federal law through ordinary means**, and the state's failures in managing federal funds created a **breeding ground for fraud and abuse** on a scale that threatened the interests of citizens nationwide.

The use of the Insurrection Act in this context is firmly grounded in precedent and statute – it is the legally sanctioned remedy when a state, through “**unlawful combinations**”, obstructs the enforcement of federal law. The use of the National Emergencies Act complements this by addressing those aspects of the crisis that troops alone cannot fix: **the administrative malfeasance and need for extraordinary management of resources**. Together, these tools have been wielded in a **constrained, civilian-led manner** that reinforces, rather than undermines, our constitutional order. The President did not declare martial law; he acted under explicit congressional authorizations, with ongoing oversight, to **ensure the laws are executed and rights protected**.

We have outlined how the intervention has been implemented with an eye towards **proportionality, fairness, and transparency**. Federal forces are acting as guardians of peace and facilitators of justice – **not an occupying army**. The establishment of the Administrative Processing Center exemplifies the approach: it is a hub of due process and orderly administration that has replaced street chaos with a system of “**accurate, and timely immigration adjudication**.” Those who previously lived in the shadows or in limbo now have a venue to regularize their status or depart in an organized way, under the watch of judges and with access to counsel. Dangerous individuals who exploited Minnesota's laxity are being removed or brought to justice, making communities safer. At the same time, the federal auditors digging into the state's welfare programs are purging corruption and reinforcing the integrity of the safety net, so that **taxpayer funds serve their intended purpose**.

Safeguards have been interwoven at every step. There are **mechanisms for transparency**, from press access to reports to Congress. There are **sunset clauses and reviews** to guarantee that as soon as Minnesota's authorities demonstrate reliable capacity, control will be returned. The rule of law has been upheld, not suspended: courts remain open, and indeed immigration courts have been brought to the forefront of the process. The intervention has been about **enabling law – federal law – to function again where it was being deliberately impeded**, and about **rebuilding the conditions for effective self-governance** in Minnesota.

It is important to acknowledge that this course of action, while justified, is extraordinary. In the long history of federal-state relations, use of the Insurrection Act and emergency powers domestically is rare. That rarity is a testament to our



union's strength – that states usually uphold their obligations. Minnesota's case should be a cautionary tale: when a state abdicates those obligations to the extreme, the federal government not only has a right to intervene, but a responsibility to the **Constitution and the people** of that state to do so. The intervention in Minnesota is not a “federal takeover” in the political sense; it is a **rescue mission** to re-establish lawful conditions under which Minnesotans can safely enjoy their rights and under which their duly elected officials can govern without inviting anarchy or graft.

Already, early results are encouraging. By neutralizing the immediate threats and plugging the administrative holes, the intervention has begun to **stabilize Minnesota**. Federal and local officials alike have noted a palpable improvement in public safety and confidence. Where there was once an air of impunity – criminals believing they were beyond ICE's reach, fraudsters believing no one was watching – there is now a clear signal that **law and order are back**. Community members report feeling safer seeing a structured federal presence, and even some critics of the President grudgingly admit that removing violent felons and curbing fraud are positive outcomes. The intervention has also prompted overdue soul-searching among Minnesota's leaders. There are signs that once-stubborn officials are reconsidering the balance between idealistic policies and practical enforcement; one hopes that when authority is returned to them, they will not repeat the mistakes that led to this point.

In conclusion, *Restoring Lawful Governance in Minnesota* has not been a step taken lightly, but it has been a step firmly grounded in law and necessity. The Insurrection Act and National Emergencies Act have been applied here as the founders and Congress intended: **to preserve the Union and the rule of law when confronted by internal breakdown**. The federal government's intervention is enabling Minnesota to reset – to cleanse itself of the unlawful obstruction, to rebuild functional partnerships, and to protect all residents regardless of status under a uniform rule of law. This is not an end-run around democracy; it is a defense of the very institutions of democracy (courts, laws, accountable governance) against those forces – whether well-intentioned or malicious – that had eroded them.

When the mission is complete, Minnesota will be returned to its people and officials with **order restored and confidence renewed**. The takeaway for the general public is that our system of government, though federal in nature, contains safety valves for crises. The combination of executive resolve, congressional oversight, and judicial checking in this intervention exemplifies our constitutional design's resilience. By invoking these powers judiciously now, we make it less likely that they will ever need to be invoked in the future – because we reassert the norms of cooperation and lawful conduct that keep such extreme measures unnecessary.

Minnesota will emerge from this chapter with a chance to rebuild trust: trust between communities and law enforcement, trust between state and federal partners, and trust of the public in the integrity of their institutions. The **restoration of lawful governance** is both the means and the end – a means to halt the immediate crisis, and the end-state we seek for Minnesota going forward. In preserving the union of laws in Minnesota, we affirm the principle that in the United States, **no region can opt out of the rule of law**, and conversely, that all Americans have the assurance that their government (state or federal) will act to protect their rights and security when threatened. This intervention stands as a persuasive testament to that promise.

