



Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: NORA FRIMANN
City Attorney

SUBJECT: Amicus Curiae Brief in *Planned Parenthood Federation of America, Inc., et al. v. Robert F. Kennedy, Jr., et al.*

DATE: October 3, 2025

RECOMMENDATION

Authorize the City Attorney to join in an Amicus Curiae brief drafted by the Public Rights Project on behalf of local government entities in support of plaintiffs for *Planned Parenthood Federation of America, Inc. et al. v. Robert F. Kennedy Jr., in his official capacity as Secretary of the U. S. Department of Health and Human Services; et al.* challenging Section 71113 of the “One Beautiful Bill Act,” which strips Medicaid and other federal funding to entities that provide women’s health care including elective abortions and meet certain other criteria. Plaintiffs secured a preliminary injunction earlier this year, and the amicus brief will relate to and support that preliminary injunction. (Case Nos. 25-1698; 25-1755 [First Circuit Court of Appeals])

BACKGROUND

This case challenges Section 71113 of the “One Beautiful Bill Act,” which strips federal funding from Plaintiffs by prohibiting the provision of Medicaid dollars to entities that provide elective abortions and meet certain criteria, most of which are almost exclusive to Planned Parenthood agencies. Plaintiffs secured a preliminary injunction earlier this year. However, the First Circuit Court of Appeals stayed the injunction pending appeal, meaning that the prohibition on providing funding is set to go into effect imminently.

The amicus brief argues that the District Court properly granted the preliminary injunction because it serves the public interest. By stripping Plaintiffs of funding, Section 71113 would harm amici’s residents, who rely on Medicaid to access healthcare, causing poorer health outcomes, increasing health disparities, and overloading city and county providers who will face new demand for a range of healthcare services. Section 71113 will also strain municipal finances at a time when amici are already facing significant budget volatility.

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ANALYSIS

The amicus brief makes arguments that support the protection of residents who rely on Medicaid, as well as the interests of local government entities that will experience increased demand for services that would be defunded by Section 71113.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the October 7, 2025, agenda.

CEQA

Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment.

By: /s/ Nora Frimann
NORA FRIMANN
City Attorney

cc: Jennifer Maguire, City Manager

For questions, please contact NORA FRIMANN, City Attorney, at (408) 535-1900.