

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MAYOR AND CITY COUNCIL OF BALTIMORE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*

Defendants.

Case No. 1:19-cv-01103-RDB

JOINT STATUS REPORT

The parties respectfully submit the following status report in response to the Court’s April 5, 2021 Order.

As the parties have previously reported, the Supreme Court granted certiorari in this and related cases on February 22, 2021. *See Becerra, et al. v. Mayor & City Council of Baltimore* 20-454); *see also Am. Med. Ass’n, et al. v. Becerra, et al.* (20-429); *Oregon, et al. v. Becerra, et al.*, (20-539). After the Supreme Court granted certiorari, the Department of Health and Human Services (HHS) issued a notice of proposed rulemaking (NPRM) for the Title X family planning program, entitled “Ensuring access to equitable, affordable, client-centered, quality family planning services,” 86 Fed. Reg. 19812 (Apr. 15, 2021). The proposed regulations would rescind the 2019 rule at issue in this litigation and largely reinstate the rules that had been promulgated in 2000 (65 Fed. Reg. 41270). HHS has previously stated that it expects to have any final rule in place by early fall and effective before the 2022 Title X funding announcement issued in December

2021. *Am. Med. Ass'n, et al. v. Becerra* (20-429), Gov't Opp'n to Mots. to Intervene at 3 (Mar. 18, 2021). On May 17, 2021, upon the stipulation and joint request of all parties thereto, the United States Supreme Court dismissed the petitions for certiorari. Order, Case Nos. 20-429, 20-454, 20-539 (May 17, 2021).

The parties are now considering how this case should proceed in light of these recent developments. To give the parties a short amount of additional time for discussions, the parties propose to file another status report on or before June 11, 2021.

Dated: June 1, 2021

/s/ Andrew Tutt
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