

United States Court of Appeals For the First Circuit

No. 25-1611

AMERICAN PUBLIC HEALTH ASSOCIATION; IBIS REPRODUCTIVE HEALTH;
INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE, AND
AGRICULTURAL IMPLEMENT WORKERS (UAW); BRITTANY CHARLTON; KATIE
EDWARDS; PETER LURIE; and NICOLE MAPHIS,

Plaintiffs, Appellees,

v.

NATIONAL INSTITUTES OF HEALTH; JAY BHATTACHARYA, in his official capacity as
Director of the National Institutes of Health; UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES; and ROBERT F. KENNEDY, JR., in his official capacity as
Secretary of the United States Department of Health and Human Services,

Defendants, Appellants.

No. 25-1612

COMMONWEALTH OF MASSACHUSETTS; STATE OF CALIFORNIA; STATE OF
MARYLAND; STATE OF WASHINGTON; STATE OF ARIZONA; STATE OF
COLORADO; STATE OF DELAWARE; STATE OF HAWAII; STATE OF MINNESOTA;
STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON; STATE OF RHODE ISLAND; and STATE OF
WISCONSIN,

Plaintiffs, Appellees,

v.

ROBERT F. KENNEDY, JR., in his official capacity as Secretary of the United States
Department of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES; JAYANTA BHATTACHARYA, in his official capacity as Director
of the National Institutes of Health; NATIONAL INSTITUTES OF HEALTH; NATIONAL
CANCER INSTITUTE; NATIONAL EYE INSTITUTE; NATIONAL HEART, LUNG, AND
BLOOD INSTITUTE; NATIONAL HUMAN GENOME RESEARCH INSTITUTE;
NATIONAL INSTITUTE ON AGING; NATIONAL INSTITUTE ON ALCOHOL ABUSE
AND ALCOHOLISM; NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
DISEASES; NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND

SKIN DISEASES; NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING; EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT; NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS; NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH; NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES; NATIONAL INSTITUTE ON DRUG ABUSE; NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES; NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES; NATIONAL INSTITUTE OF MENTAL HEALTH; NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES; NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE; NATIONAL INSTITUTE OF NURSING RESEARCH; NATIONAL LIBRARY OF MEDICINE; NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES; JOHN E. FOGARTY INTERNATIONAL CENTER FOR ADVANCED STUDY IN THE HEALTH SCIENCES; NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH; and CENTER FOR SCIENTIFIC REVIEW,

Defendants, Appellants.

Before

Montecalvo, Kayatta, and Rikelman,
Circuit Judges.

ORDER OF COURT

Entered: July 18, 2025

Consistent with the opinion issued this day, the appellants' motion for a stay pending appeal is denied.

The American Society for Biochemistry & Molecular Biology, American Society for Cell Biology, American Society for Microbiology, and Federation of American Societies for Experimental Biology's motion for leave to file an amicus curiae brief in Case No. 25-1611 in support of the plaintiffs-appellees is granted.

By the Court:

Anastasia Dubrovsky, Clerk

cc: Hon. William G. Young, Robert Farrell, Clerk, United States District Court for the District of Massachusetts, Rachel Anne Meeropol, Alexis Agathocleous, Jessie J. Rossman, Alejandro Ortiz, Leah Watson, Suzanne Schlossberg, Kenneth Parreno, Matthew Brinckerhoff, Shalini Goel Agarwal, Ilann Margalit Maazel, Lisa Mankofsky, Max Roller Selver, Michel-Ange Desruisseaux, Olga Akselrod, Oscar Heanue, Sydney Kathryn Zazzaro, Donald Campbell Lockhart, Daniel Tenny, Abraham R. George, Anuj K. Khetarpal, Benjamin C. Wei, John P. Bueker, Douglas H.

Hallward-Driemeier, Amish Aajay Shah, Stephanie A. Webster, Megan Barbero, Kyle H. Keraga, David C. Kravitz, Rachel M. Brown, Katherine B. Dirks, Vanessa Arslanian, Gerard J. Cedrone, Allyson T. Slater, Phoebe Lockhart, Chris Pappavaselio, Nadav S. Pearl, Ketakee Rajiv Kane, Robert Bonta, Daniel Ambar, Emilio Eugene Varanini IV, Sophia TonNu, Hilary Ann Burke Chan, Kathleen Boergers, Nimrod Pitsker Elias, Adam D. Kirschner, James C. Luh, Michael Drezner, Anthony G. Brown, Julia Doyle, Nicholas W. Brown, Andrew R.W. Hughes, Tyler S. Roberts, Joshua Nomkin, Kristin K. Mayes, Philip J. Weiser, Shannon Wells Stevenson, Lauren Kelsey Peach, Kathleen Jennings, Vanessa L. Kassab, Ian R. Liston, Anne E. Lopez, David Dana Day, Kalikoonalani Diara Fernandes, Keith Ellison, Elizabeth C. Kramer, Judith Vale, Peter J. Farrell, Aaron D. Ford, Heidi Parry Stern, Matthew J. Platkin, Angela Cai, Bryce Kelly Hurst, Nancy Trasande, Raul Torrez, Astrid Carrete, Letitia James, Rabia Muqaddam, Molly Thomas-Jensen, Robert A. Koch, Christina L. Beatty-Walters, Daniel A. Rayfield, Peter F. Neronha, Jordan Broadbent, Joshua L. Kaul, Lynn Kristine Lodahl, Thomas W. Ports Jr.