



Office of the Los Angeles City Attorney  
Hydee Feldstein Soto

REPORT NO. R25-0628  
DEC 11 2025

**REPORT RE:**

**AFFIRMATIVE LITIGATION CHALLENGING ACTIONS  
OF THE FEDERAL GOVERNMENT**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Honorable Members:

The purpose of this report is to update the City Council on the legal action this Office has taken on behalf of the City of Los Angeles to contest federal policies and practices that affect the City and its residents. As described below, the City is a plaintiff or intervenor in four pending lawsuits that challenge the federal government's immigration enforcement tactics and, separately, unlawful policy conditions that federal agencies have placed on grants, which state and local governments depend on for funding. The funding conditions seek to force grant recipients like the City to implement the policy agenda of the Trump administration in violation of the Constitution and federal law. Over the past few months, specific to the federal funding litigation, this Office has **successfully protected more than \$600,000,000 in City grant funding** by obtaining injunctive relief that prohibits the imposition of the federal government's unlawful grant conditions.

The City Council should be cognizant of the fact that each of the cases described herein are still in their early stages. Undoubtedly, the federal government has and will appeal any adverse district court orders to the circuit courts and the Supreme Court. Stays and reversals from the appellate courts are possible, but this Office will continue to vigorously prosecute these cases on behalf of the City.

***King County et al. v. Turner et al. (No. 2:25-cv-814-BJR, W.D. Wash.)***

The City is a plaintiff in this nationwide lawsuit that challenges the Trump administration's attempts to put conditions on federal housing and transit grants that were enacted by Congress. The lawsuit alleges that the administration is attempting to impose its policy preferences on local governments regarding immigration enforcement, gender identity, abortion access, and diversity, equity, and inclusion (DEI) initiatives.

In early May, eight cities and counties filed this suit against the Trump administration to block the unilateral imposition of funding conditions on the Department of Housing and Urban Development's (HUD) Continuum of Care (CoC) grants and the mass transit grants issued by the United States Department of Transportation (USDOT). The challenged conditions included a prohibition on recipients operating any DEI initiatives, facilitation of federal immigration law enforcement, verification of immigration status in service provision, and prohibition on the promotion of "gender ideology" or "elective abortion." The complaint alleges that the imposition of the conditions violates numerous constitutional rights, including the Fifth and Tenth Amendments, the Spending Clause, and separation of powers, as well as the Administrative Procedure Act (APA), and asks the Court to declare the conditions to be unlawful and enjoin their imposition and enforcement.

On June 3, 2025, the district court entered a preliminary injunction prohibiting the defendants from enforcing the specified conditions on the HUD and USDOT grant funding against the then-list of plaintiffs (the First PI). Over the next few weeks, the plaintiffs amended their complaint to add additional plaintiffs, including the City.<sup>1</sup> In the lead-up to the amended filing, this Office worked with plaintiffs' counsel to expand the scope of the targeted grants to include funding from the Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), and Federal Railroad Administration (FRA), and to file a new motion for preliminary injunction.

Specific to the City, the *King County* lawsuit seeks to protect **\$37,199,215 million in funding previously awarded** to the City by USDOT for ongoing transportation projects, and **\$72,964,700 in allocated but not yet obligated City transportation funds**. These funds are needed to electrify bus yards, purchase buses, and ensure adequate transit capacity, particularly given the increased demand expected during the 2026 FIFA World Cup and the 2028 Summer Olympic and Paralympic Games.

The City's airport funding is also at issue in this case. Federal grants make up nearly 10 percent of LAWA's operating budget. USDOT has awarded LAWA \$53.7 million in operational funds for Fiscal Year 2025 and future years that have not yet been obligated through the execution of grant agreements. For Fiscal Year 2025, LAWA

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<sup>1</sup> This Office also provides some legal services to LAHSA. Attorneys in this Office worked with the Office of County Counsel and the coalition of plaintiffs in *King County* to add LAHSA as a party to the case just a few days ago so that LAHSA's CoC funding could be similarly protected by a preliminary injunction.

requested an additional \$35.4 million in operational funds, for which the grant applications are still pending with USDOT. In addition to operational assistance, the City's airports depend heavily on USDOT funding for their infrastructure. In Fiscal Year 2023, the City was awarded approximately \$79.1 million in infrastructure grants for LAX and \$844,000 for VNY. In Fiscal Year 2024, the City was awarded \$72.5 million in infrastructure grants for LAX and \$851,000 for VNY. In total, USDOT has awarded **more than \$226,000,000 in LAWA infrastructure grants for Fiscal Years 2023 through 2025** that have not yet been obligated through the execution of grant agreements, which are expected to include the unlawful conditions.

In addition, as a result of conditions imposed on federal grants by HUD, the City was in peril of forfeiting approximately **\$100,000,000 in formula block grants** for Fiscal Year 2025, including \$48,007,436 in Community Development Block Grants, \$23,237,026 in HOME grants, \$4,256,090 in ESG grants, and \$24,214,214 in HOPWA grants, or being forced to accept President Trump's unlawful conditions. These grants, which are distributed based on predetermined formulas often involving factors like population and income, are a crucial source of revenue for many City housing services and programs.

On August 12, 2025, the district court issued an order granting the City's request for a preliminary injunction prohibiting the Trump administration from imposing the listed USDOT and HUD policy conditions on the City (the Second PI). The court found that all plaintiffs were likely to succeed on the merits of their claims that the federal government's actions violated the APA as contrary to statutory authority and were, therefore, a violation of the separation of powers doctrine. The court agreed with the local jurisdictions that "in attempting to condition disbursement of funds in part on grounds not authorized by Congress, but rather on Executive Branch policy, Defendants are acting in violation of the Separation of Powers principle and 'in excess of statutory jurisdiction, authority, or limitations, or short of statutory right.'"

Specifically, HUD is enjoined from imposing or enforcing its grant conditions, as defined, or any materially similar terms or conditions with respect to any funds awarded to the plaintiffs or members of their continuums. In addition, USDOT is enjoined from imposing or enforcing its grant conditions, as defined in the motions, or any materially similar terms or conditions to any USDOT funds awarded, directly or indirectly, to the plaintiffs or their subrecipients.

The federal government has appealed both the First PI and the Second PI. The appeal of the First PI, Ninth Circuit Case No. 25-3664, is fully briefed and awaiting oral argument. The federal government's appeal of the Second PI, Ninth Circuit Case No. 25-6428, was stayed last week pending the outcome of the appeal of the First PI.

**County of Santa Clara, et al. v. Noem, et al. (No. 3:25-cv-08330-WHO, N.D. Cal.)**

In October, the City, along with 28 other local governments, filed a lawsuit challenging unlawful conditions placed on all Department of Homeland Security (DHS) grants. Similar to *King County* above, President Trump's DHS-related executive orders target jurisdictions like the City that have policies and laws limiting the use of local resources to carry out federal immigration enforcement as well as gender identity and DEI initiatives. In response to these executive orders, DHS revised their standard grant terms and conditions applicable to Fiscal Year 2025 grants, cooperative agreements, fixed amount awards, and other types of federal financial assistance to include conditions that did not exist in any version of the DHS Terms and Conditions issued before January 20, 2025. The challenged conditions would force local governments to adopt the administration's political agenda or risk losing critical public safety and homeland security funding.

The lawsuit, filed in federal district court in Northern California, seeks to protect more than **\$56 million in Fiscal Year 2026 grant funds** that the City expects to receive from DHS and the Federal Emergency Management Agency (FEMA). This money would be used to pay for: salaries, training, and supplies for the City's Urban Search & Rescue task force; radiation and nuclear detection equipment; staffing costs for an additional 12 Los Angeles Fire Department (LAFD) firefighters; the maintenance and repairs of four Los Angeles Police Department (LAPD) watercraft used to patrol the Port of Los Angeles; and other homeland security and emergency preparedness activities.

On November 21, 2025, the district court issued an order granting the preliminary injunction finding that the challenged conditions violate the separation of powers, constitutional spending power constraints, and the APA. Under the order, DHS and FEMA are enjoined from taking any action "to withhold, freeze, or condition funds" from the City based on the challenged conditions.<sup>2</sup> This includes court-ordered protection for \$38,664,255 in Fiscal Year 2025 Urban Area Security Initiative funding through the Homeland Security Grant Program; \$6,677,557 in Fiscal Year 2025 carry-forward funds for the Securing the Cities Program, which is administered by DHS's Countering Weapons of Mass Destruction Office; a \$4,204,414 SAFER grant for LAFD; \$1,393,311 in National Urban Search and Rescue Response System funding for LAFD;

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<sup>2</sup> The DHS condition requiring cooperation with the federal government's immigration enforcement efforts is not a subject of the district court's injunction in *County of Santa Clara v. Noem* because that condition is already subject to a permanent injunction, which was issued in *State of Illinois, et al., v. FEMA, et al.* (No. 1:25-cv-00206-WES, D.R.I.). On May 13, 2025, 20 states, including the State of California, sued DHS and FEMA, challenging the federal government's policy decision to bar funding unless stringent immigration restrictions were applied. On September 24, 2025, the district court granted summary judgment, finding that states succeeded in their APA claim, as well as their Spending Clause claim. The court also issued a permanent injunction protecting the 20 states and their respective local governments, including the City, from having the specified DHS and FEMA grants conditioned on immigration cooperation. The court further enforced the judgment on October 14, 2025. The federal government has appealed the district court's judgment (First Circuit Case No. 25-2131).

approximately \$500,000 in Emergency Management Performance Grant Program funding for LAPD; \$277,500 in Port Security Grant Program funding for LAPD; and \$257,000 in Strategic Highway Safety Plan funding through the Homeland Security Grant Program.

***City and County of San Francisco, et al. v. Trump, et al. (No. 3:25-cv-1350-WHO, N.D. Cal.)***

As we have previously reported to the City Council, President Trump issued multiple executive orders targeting jurisdictions like Los Angeles that have policies and laws limiting the use of local resources to carry out federal immigration enforcement. One of the executive orders directs Attorney General Pam Bondi and DHS Secretary Kristi Noem to withhold all federal funds from jurisdictions that refuse to use their local resources to carry out the President's immigration agenda.

After the filing of this lawsuit, President Trump has issued two more punitive executive orders: No. 14,218, which targets non-cooperating jurisdictions by directing all executive departments and agencies to ensure that "Federal payments to States and localities do not . . . abet so-called 'sanctuary' policies;" and No. 14,287, which directs all executive departments and agencies "in coordination with the Director of the Office of Management and Budget" to "identify appropriate Federal funds to sanctuary jurisdictions, including grants and contracts, for suspension or termination." Attorney General Bondi and the Department of Justice have made good on these threats, filing a lawsuit against the City, asserting an unprecedented and unlawful interpretation of the federal government's authority to commandeer local government resources.<sup>3</sup>

The City's laws and policies ensure that local resources are prioritized for local law enforcement and public safety. The executive orders present the City with another impossible choice—abandon the protection of its valued community and resources or lose critical funding. To protect its funding and policies, the City joined a coalition of other jurisdictions that sued to stop this federal overreach of immigration enforcement. The lawsuit argues that forcing local governments to aid in immigration enforcement violates the Tenth Amendment and other constitutional protections, including the separation of powers. The coalition is led by the City and County of San Francisco and the County of Santa Clara and has grown to include more than 50 jurisdictions. Unlike *King County v. Turner* and *Santa Clara v. Noem*, this litigation targets the President's broader executive orders rather than specific department and agency-imposed grant conditions.

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<sup>3</sup> As the City Council is aware, on June 30, 2025, the United States sued the City of Los Angeles, the Mayor, the City Council, and the Council President in the District Court for the Central District of California. *United States v. City of Los Angeles, et al.*, (No. 2:25-cv-05917-FMO, C.D. Cal.) The federal government's complaint alleged violations of the Supremacy Clause, as well as 8 U.S.C. § 1373. This Office filed a motion to dismiss the complaint in August. The City's motion is fully briefed and awaiting a hearing, which was delayed because of the federal government shutdown.

In July, the City, working with the coalition, filed a motion asking the court to issue an injunction to block the Trump administration from withholding, freezing, or adding new conditions to federal funds. In support of the requested orders, the City submitted a declaration from the Office of the Chief Administrative Officer explaining that Los Angeles relies on hundreds of millions of dollars in annual federal grants to fund victim witness assistance, security upgrades for the Port of Los Angeles, rape kit processing, brownfield cleanups, police officer hiring, low-income housing, and disaster recovery related to recent wildfires and winter storms. None of these federally funded programs involve immigration or include any element of immigration enforcement.

On August 22, 2025, the court granted the injunction, forbidding the Trump administration from imposing the executive order conditions on grants to the City. Specifically, the judge's order prohibits the federal government "from directly or indirectly taking any action to withhold, freeze, or condition federal funds based on (1) the first sentence of Section 17 of Executive Order 14,159; (2) Section 2(a)(ii) of Executive Order 14,218; (3) the February 5, 2025, memorandum from the Attorney General entitled 'Sanctuary Jurisdictions Directives'; or (4) any other Executive Order or Government action that poses the same coercive threat to eliminate or suspend federal funding based on the Government's assertion that a jurisdiction is a 'sanctuary jurisdiction,' on the basis that the jurisdiction has policies that limit (i) the honoring of civil immigration detainer requests; (ii) cooperation with administrative warrants for purposes of immigration enforcement; (iii) the sharing of information with federal immigration authorities other than immigration or citizenship status; (iv) the use of local law enforcement to arrest or detain individuals solely for civil immigration violations; or (v) the use of local resources to assist with civil immigration enforcement activities."

***Pedro Vasquez Perdomo et al. v. Noem et al. (No. 2:25-cv-05605-MEMF, C.D. Cal.)***

As the City Council knows all too well, since June 6, 2025, the federal government has deployed agents onto the streets, parks, worksites, community centers, and neighborhoods of Los Angeles and other surrounding cities and counties to engage in unlawful immigration roundups and raids. What started as an initial weeks-long roving dragnet has evolved into an ongoing and stochastic operation that continues to wreak havoc on the region and tear apart the lives of so many City residents.

Within a few hours of the start of the federal deployment, this Office began strategizing with Munger, Tolles & Olsen, working as pro bono outside counsel, on ways to challenge the unlawful actions of the federal government in court. We also began to organize a coalition of local governments, including the County of Los Angeles, to join in any future legal effort.

On July 2, 2025, five individuals along with three membership organizations (Los Angeles Worker Center Network, United Farm Workers, the Coalition for Humane Immigrant Rights) and a legal services provider (Immigrant Defenders Law Center)

brought a class action lawsuit to end unlawful stops and arrests, and for the protection of due process and access to counsel rights for people in immigration detention. The class action lawsuit alleges that federal agents, primarily U.S. Border Patrol, are relying on perceived race or ethnicity to select who to stop, conducting suspicionless stops, executing warrantless raids, carrying out illegal worksite operations, and denying those in detention access to counsel. These illegal practices are alleged to violate both the Fourth and Fifth Amendment.

Five days after that complaint was filed, this Office and Munger, Tolles & Olsen, in the name of the City, led a coalition comprised of the County of Los Angeles and the Cities of Pasadena, Santa Monica, Culver City, Pico Rivera, Montebello, Monterey Park, and West Hollywood to intervene in the case to bring local government support to the plaintiffs' claims. Shortly thereafter, on July 11, 2025, the district court granted a temporary restraining order, which blocked federal agents from illegally conducting immigration raids (Fourth Amendment TRO) and which required the federal government to provide detainees with appropriate access to their attorneys (Fifth Amendment TRO).

The federal government quickly filed for a stay of the Fourth Amendment TRO with the United States Court of Appeals for the Ninth Circuit, which denied the government's request on August 1st. By August 7th, the federal government had filed an application with the United States Supreme Court to stay the Fourth Amendment TRO. The plaintiffs and the City filed separate briefs in opposition to the application a few days later. At that same time, on August 8, the City filed an amended complaint in intervention, adding 13 additional cities across four counties to what is now a coalition of 22 intervenors. The new cities to the coalition are: Long Beach, Pomona, South Gate, Lynwood, Huntington Park, Paramount, Bell Gardens, Beverly Hills, Anaheim, Santa Ana, Santa Barbara, Carpinteria, and Oxnard. On September 8, as was widely reported, the Supreme Court granted the requested stay of the Fourth Amendment TRO in a four-sentence order.

Since the Supreme Court's stay, the litigation has been remanded back to the district court. As for the pending Fifth Amendment claims, after a motion for preliminary injunction was filed on July 28, along with subsequent briefing by the parties and an October 23, 2025 hearing, the judge granted the motion for preliminary injunction. Specifically, the injunction orders the defendants to provide access to Room B-18 of the Federal Building located at 300 North Los Angeles Street, Los Angeles, CA 90012 for legal visitation by current and prospective attorneys, legal representatives, and legal assistants. Under the injunction, legal visitation must be permitted seven days per week, for a minimum of eight hours per day on business days, and a minimum of four hours per day on weekends and holidays. Defendants are also required to provide private rooms for closed-door discussions between detainees and current and prospective attorneys, legal representatives, and legal assistants.

With respect to the claims relating to the roving patrols and other enforcement actions, the Fourth Amendment TRO was dissolved by the judge, which also mooted the pending appeal in the Ninth Circuit, setting the stage for a new preliminary injunction filing in the district court. The judge also granted the class action plaintiffs and the City/intervenors the right to conduct expedited discovery relating to the raids.<sup>4</sup> This Office has tasked eight attorneys and five administrative staff to support this evidence-gathering effort. In addition to seeking documents and video footage, the discovery order allows the plaintiffs and the City/intervenors to conduct a limited number of depositions of personnel engaged in the federal government's enforcement operations over the coming days.

### Conclusion

In addition to filing affirmative litigation matters where the City is a named party, this Office also supports many other litigation efforts challenging the actions of the Trump Administration either by providing direct evidence into the record in those case or by filing amicus briefs in support of the litigants. Nearly two dozen attorneys in this Office have taken on this work while maintaining their normal workloads.

As just one example of this ongoing effort, this Office is working in collaboration with the California Attorney General to support Governor Newsom and the State of California in *Newsom v. Trump* (No. 3:25-cv-04870-CRB, N.D. Cal.), which is the litigation challenging the President's federalization of the California National Guard and deployment of United States Marines to Los Angeles. This Office has supported the drafting of three separate evidentiary declarations signed by LAPD personnel providing a factual basis for the state's legal arguments at different steps in the case. The most recent of the City's declarations was cited seven times by Judge Charles Breyer in support of the preliminary injunction order he issued yesterday blocking the President's deployment of the National Guard. In addition, this Office, with the pro bono outside counsel support of Democracy Defenders Fund, drafted and filed five separate amicus briefs supporting the state's legal arguments in this same case, including three different amicus briefs in two different courts in the span of four days and another brief that was joined by 35 other local governments and the United States Conference of Mayors, all supporting the State of California.

Of course, this Office will continue to monitor the Trump administration's actions, and will take action where necessary to protect the City, its residents, and its resources and will continue to lead, collaborate, and coordinate with our local partners and other jurisdictions across the nation.

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<sup>4</sup> The magistrate judge assigned to this case has issued a protective order that covers designated information that is disclosed during this discovery process as well as during pre-trial, and post-trial proceedings. The Magistrate Judge's order, however, does not govern the use of that confidential information at trial, which shall be governed by the future orders of the district court judge.

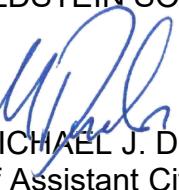
Should you want to discuss any of the above referenced cases at a future City Council meeting, this Office recommends that discussions with, and advice from, legal counsel regarding this pending litigation be scheduled and held in closed session pursuant to California Government Code Sections 54956.9(d)(1). Government Code Section 54956.9 requires you to state publicly prior to the closed session what subdivision of this section authorizes the closed meeting, and that the closed session is being held to confer or discuss with, or receive advice from, legal counsel regarding pending litigation.

If you have any questions regarding this matter, please contact the undersigned at (213) 978-8100. A member of this Office will be available when you consider this matter to answer any questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By

  
MICHAEL J. DUNDAS  
Chief Assistant City Attorney

MJD:ac

Cc: Mitch Kamin, Chief of Staff to the Mayor  
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