July 14, 2025

The Honorable Susan Collins
Chair, Senate Appropriations Committee
413 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Patty Murray
Ranking Member, Senate Appropriations Committee
154 Russell Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
Chair, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies
170 Russell Senate Office Building
Washington, DC 20510

The Honorable Tammy Baldwin
Ranking Member, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies
141 Hart Senate Office Building
Washington, DC 20510

The Honorable Tom Cole
Chair, House Appropriations Committee
2207 Rayburn House Office Building
Washington, DC 20515

The Honorable Rosa DeLauro
Ranking Member, House Appropriations Committee
2413 Rayburn House Office Building
Washington, DC 20515

The Honorable Robert Aderholt
Chair, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies
272 Cannon House Office Building

Re: Protection and Advocacy for People with Disabilities Budget Items

Dear Chair Collins, Ranking Member Murray, Chair Capito, Ranking Member Baldwin, Chair Cole, Ranking Member DeLauro, and Chair Aderholt:

The undersigned members and allies of the Consortium for Constituents with Disabilities (CCD) Rights Task Force write to urge you not to enact drastic cuts to certain programs that provide critical services to protect and advocate for people with disabilities and elimination of other such programs as proposed in Department of Health and Human Services (HHS) and Department of Education budget documents. These budget proposals would be unprecedented and would upend decades of Congressional support for these key programs that have protected people with disabilities from abuse and neglect and enforced their

rights. CCD is the largest coalition of national organizations advocating for federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society.

HHS and Department of Education budget proposals include severe cuts that would devastate the Protection and Advocacy system established by Congress to protect and advocate for people with disabilities. The importance of Protection and Advocacy organizations for people with disabilities cannot be overstated. These systems were initially established in the 1970's following the public exposure of the horrors experienced by people with disabilities in institutions like Willowbrook and Pennhurst, along with findings of widespread abuse, neglect, and discrimination against people with disabilities across the country. While the program initially applied to people with intellectual and developmental disabilities, it was expanded over the years to apply to people with other disabilities as well as Congress recognized that the same type of program was needed for people with other disabilities.

The HHS proposed budget would eviscerate the Protection and Advocacy for Individuals with Mental Illness (PAIMI) program, cutting it by two-thirds. This program, created nearly 40 years ago following a months-long Senate investigation led by Senator Lowell Weicker (R-CT) finding widespread abuse, neglect, and exploitation of individuals in psychiatric institutions, has been critically important. It has used advocacy and enforcement to help children with mental health disabilities obtain the services they need to live at home with their families rather than in institutions, often far from their family homes. It has advocated to secure the services that children with mental health disabilities need to receive a quality education in schools alongside their non-disabled peers. It has kept people with mental health disabilities housed, and has successfully fought employment discrimination that prevented them from working.

The Department of Education budget proposal would also entirely eliminate the Protection and Advocacy for Individual Rights (PAIR) program established by Congress 33 years ago. Without the PAIR program, people who are blind, deaf or hard of hearing, or have mobility impairments or other physical disabilities would lose critical advocacy that they have relied on for decades. Indeed, HHS Secretary Kennedy recently touted HHS's enforcement of the Supreme Court's *Olmstead* decision to enable a young woman with quadriplegia who spent the majority of her teenage years living in an acute care hospital to finally move to her own apartment in the community. That would not have been possible without the advocacy of the North Carolina Protection and Advocacy agency, which filed a complaint with HHS identifying the issues. Because of their advocacy, the young woman will receive the services, equipment, home modifications, and technology needed to live in the community.

Examples of Protection and Advocacy work that might no longer be possible with the current budget proposals are:

- *Timothy B. et al. v. Kody Kinsley:* In this class action case brought on behalf of North Carolina youth in foster care with mental and behavioral health needs who have been warehoused unnecessarily in dangerous, locked psychiatric institutions, the North Carolina Protection and Advocacy program successfully secured a ruling that these children are unnecessarily institutionalized due to a lack of community services. The parties are currently in mediation. This case is paving the way for children with disabilities to receive the services they need to grow up at home with their own families.

- *Hunter v. Boswell*: This case brought by the Alabama Protection and Advocacy program and eight individuals with mental health and/or intellectual disabilities challenged the state's failure to provide court-ordered evaluations to determine competency to stand trial or competency restoration treatment, resulting in people with disabilities spending prolonged periods in jails that are woefully ill-equipped to meet their needs. The Protection and Advocacy agency secured a settlement agreement requiring that evaluations, treatment, and therapy occur within 45 days of referral for an evaluation.

- *Meyer v. Indiana Family and Social Services Admin.:* The Indiana Protection and Advocacy program secured a settlement with Indiana in this case brought under the Americans with Disabilities Act seeking effective communication and equal access to print and website communications related to the application, eligibility, receipt, and administration of Medicaid, SNAP, and other benefit programs. The settlement provided accessibility functions for blind Indiana residents in these benefit programs.

- *Trivette v. Tennessee Dep't of Corrections:* The Tennessee Protection and Advocacy program secured a settlement in this case brought under the Americans with Disabilities Act and Section 504, requiring the state corrections department to provide auxiliary aids and services so that deaf prisoners can participate in and benefit from its services, including medical and mental health appointments as well as disciplinary proceedings.

Further, the HHS proposed budget would eliminate the Protection and Advocacy for Voting Accessibility (PAVA) program, established by Congress in 2002 to provide assistance to state and local governments by surveying polling places, identifying modifications needed to make them accessible, working with state and local election officials to help ensure accessibility in the voting process, educating people with disabilities about their voting rights, and related tasks. People with disabilities have long experienced accessibility and other barriers to voting; the PAVA program has provided important help to enable them to vote.

The Department of Education and HHS proposed budgets would also eliminate sister agencies to the Protection and Advocacy organizations: Client Assistance Programs (CAPs) and University Centers for Excellence in Developmental Disabilities (UCEDDs). The CAP program was

established by Congress more than 50 years ago to help people with disabilities navigate Vocational Rehabilitation systems and secure benefits to which they are entitled under the Rehabilitation Act. The Department of Education's budget proposes their elimination. Further, HHS's budget proposes the elimination of UCEDDs, a nationwide network of university-based centers that advance evidence-based research, provide early diagnosis and intervention services, and conduct national trainings for professionals related to the needs of individuals with developmental disabilities and their families. UCEDDs have played a critically important role in ensuring quality disability services.

These proposed budget cuts and wholesale elimination of key programs established by Congress and required by law to protect and advocate for people with disabilities would be devastating for people with disabilities. We cannot return to the days when people with disabilities were routinely subjected to abuse and neglect and experienced violations of their rights because no help was available. We strongly urge you to continue funding all portions of the Protection and Advocacy program (including the above-referenced programs as well as the Protection and Advocacy for Individuals with Developmental Disabilities and the Protection and Advocacy for Assistive Technology programs), and the related programs of the Developmental Disabilities Councils, the Client Assistance Program, and the University Centers for Excellence in Developmental Disabilities.

Sincerely,

Access Ready, Inc.

Alliance for Rights and Recovery

Allies for Independence

ANCOR

American Association on Health and Disability

American Civil Liberties Union

American Foundation for the Blind

American Group Psychotherapy Association

American Mental Health Counselors Association

American Music Therapy Association

Anxiety and Depression Association of America

The Arc of the United States

Autism Society of America

Autistic Self Advocacy Network

Bazelon Center for Mental Health Law

Center for Public Representation

Children and Adults with Attention-Deficit/Hyperactivity Disorder

Clinical Social Work Association

Coalition of Parent Attorneys and Advocates

CommunicationFIRST

Disability Belongs

Disability Rights Education and Defense Fund

Epilepsy Foundation

Family Voices

Inseparable

International Society of Psychiatric-Mental Health Nurses

The Kelsey

Lakeshore Foundation

Muscular Dystrophy Association

National Alliance on Mental Illness

National Association of Councils on Developmental Disabilities

National Association of the Deaf

National Association of Pediatric Nurse Practitioners

National Association of Social Workers

National Board for Certified Counselors

National Disability Institute

National Disability Rights Network

National Health Law Program

National Register of Health Service Psychologists

Paralyzed Veterans of America

Perkins School for the Blind

Quality Trust

World Institute on Disability