

February 24, 2025

Honorable Austin Knudsen
Attorney General of Montana
215 N. Roberts, Room 201
Helena, MT 59620-1501

Dear Attorney General Knudsen,

The undersigned organizations serve people with disabilities across Montana. We are deeply concerned about your attempt to erase our nation's oldest disability-related anti-discrimination law, Section 504 of the Rehabilitation Act of 1973. On behalf of Montana, you filed a federal lawsuit called *Texas v. Becerra*. The case explicitly asks the federal court to get rid of Section 504 by finding it unconstitutional.¹ To us, this is unconscionable.

Section 504 protects people with disabilities from discrimination by the federal government and organizations that receive federal funding. This includes schools, hospitals, and other public services that are essential for our community's well-being and inclusion. As a result of this law, thousands of Montanan children, youth, and adults receive a free appropriate public education (pre-school, K-12, and post-secondary education) because their schools provide them with disability-related accommodations. Disabled veterans cannot be denied employment by the federal government or a federal grantee just because they have a disability. Montanans who need daily support to go about their day can get Medicaid funded services in their own homes, instead of being discriminatorily forced into nursing homes or other institutional placements away from their families and communities.

This lawsuit seeks to strip away all of these protections and will hurt Montanans with disabilities. We believe that withdrawing from this lawsuit is in the best interest of our state and its residents. We respectfully urge you to reconsider Montana's involvement in this lawsuit and withdraw our state from the case.

We look forward to your response. We hope you will join us to uphold the rights and dignity of Montanans with disabilities. We need Montana to be a place that respects people with disabilities and their rights as full citizens of our great state and nation.

¹ See entire section of "Count 3 Section 504 is Unconstitutional," [Complaint](#) pp 37-40; and "Demand for Relief" lines "d." and "e." asking the court to "Declare Section 504, 29 U.S.C. § 794, unconstitutional;" and "Issue permanent injunctive relief against Defendants enjoining them from enforcing Section 504" *Id* at p 42.

Sincerely,

Scott Birkenbuel
Chief Executive Officer
Ability Montana

Akilah Deernose
Executive Director
ACLU of Montana

Margie Seccomb
Chief Executive Officer
Action Inc.

Terry Minow
Chair
Big Sky 55+

Debra Ouellette
Social Security Representative Payee
Big Sky Professional Payee Services

Cheyenne Crooker
President
Butte Pride Foundation

Tina and Tracey Morin
Director and Social Services Director
Butte Salvation Army

Amy Wood
Executive Director
Cottonwood Day School

David Carlson
Executive Director
Disability Rights Montana

Ruth Burke
Executive Director
**District XI Human Resource Council,
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Kevin Sylvester
Executive Director
Eagle Mount

Jackie Mohler
Executive Director
Family Outreach, Inc.

Diane Reidelbach
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Job Connection, Inc.

Leanne Beers, PhD
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**Leanne Beers Disability Sexologist and
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Robin Turner
Montana Staff Attorney
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Joe Gilboy
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**Montana Area Agencies on Aging
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Tyer Hansen
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Montana Association of the Deaf, Inc.

Heather O'Loughlin
Executive director
Montana Budget & Policy Center

Katie McLain
Executive Director
**Montana Community Action Network
(aka HRDC Directors Association)**

Deborah Swingley
Chief Executive Officer
**Montana Council on Developmental
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Molly Kimmel
President
**Montana Occupational Therapy
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Montana Quality Education Coalition

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