

Statement for the Record From
National Disability Rights Network (NDRN)
For
The House Education and Workforce Hearing on
Priorities of the Department of Education
June 4, 2025

Thank you for the opportunity to submit this written statement for the Record regarding how the funding decisions in the Fiscal Year (FY) 2026 budget for the Department of Education (ED) demonstrates a lack of priority for the rights of people with disabilities to access services and be free from abuse and neglect. The National Disability Rights Network (NDRN) is a non-profit membership association representing Protection and Advocacy (P&A) and Client Assistance Programs (CAP) located in all 50 States, the District of Columbia, and the U.S. Territories. Additionally, there is a P&A and CAP agency affiliated with the Native American Consortium, which includes the Hopi, Navajo, and San Juan Southern Paiute Nations in the Four Corners region of the Southwest.

The P&A/CAP System originated with a single program dedicated to individuals with developmental disabilities, providing legally based advocacy to combat the rampant abuse, neglect, discrimination, and financial exploitation of people with disabilities. It also works to ensure access to services and supports so that people with disabilities can live full and sustainable lives in the community. Over time, with bipartisan support from both Republican and Democratic Congresses and Presidents, the system has expanded. The most recent change to the P&A/CAP System, signed into law by President Trump, focused on addressing concerns about waste, fraud, and abuse in the Representative Payee program. This bipartisan-supported growth has created a robust system that advocates for individuals with disabilities, irrespective of their disability, throughout their entire lifespan.

NDRN is deeply concerned about the extremely negative impact that the proposed cuts in the FY 2026 budget will have on people with disabilities. The proposal eliminates funding for two critical programs for people with disabilities: the Protection and Advocacy for Individual Rights (PAIR) and the Client Assistance Program (CAP), both of which are administered by the Department of Education. The elimination of these programs will create a significant void in ensuring that people with disabilities are protected from abuse and neglect, have access to the necessary services and supports to live independently within the community, and receive advocacy to navigate the complex Vocational Rehabilitation (VR) system and secure employment for greater independence and self-sufficiency. These programs have positively impacted millions of individuals with disabilities each year.

We would like to take this opportunity to educate the Committee about these two programs and the positive impact they have for people with disabilities every day.

PAIR Program: The PAIR program allows P&A organizations to protect and advocate for the legal and human rights of people with disabilities who are not eligible for other

P&A advocacy services under the programs for persons with developmental and mental health disabilities or who are seeking vocational rehabilitation services. P&As often use PAIR funds to assist persons with sensory disabilities or physical disabilities unrelated to a developmental disability.

Similar to other P&A programs, P&A organizations must establish annual priorities and objectives for PAIR. P&As typically allocate PAIR funds to address cases and systemic issues related to physical accessibility and discrimination in public services, including transportation and housing. These funds are also used to combat employment discrimination against people with disabilities and to secure educational services for children and youth with disabilities.

Under the PAIR statute, P&As have the authority to monitor for rights and safety violations and conduct abuse and neglect investigations in nearly any setting where individuals with disabilities receive services. This capability serves as a significant independent oversight mechanism to detect fraud and misuse of resources by both public and private service providers for people with disabilities.

In 2024, the P&A agencies across the country, utilizing PAIR funding, served almost 9,000 individuals. They also provided information and referrals or technical assistance to almost 18,500 people, conducted training sessions for just over 92,700 individuals, and had a significant impact on nearly 30.2 million individuals through group advocacy efforts.

Here are some recent examples of advocacy under the PAIR program that would be lost should the program be terminated. While the examples are specific to certain states, each P&A across the country is addressing similar issues in their work for the disability community in their state and territory.

- The P&A in New Mexico - Disability Rights New Mexico successfully [advocated](#) on behalf of [medically fragile children](#) for in-home care and supports after these children were wrongfully denied private duty nursing services.
- P&As including Disability Rights Connecticut, Disability Law Center Massachusetts and Disability Rights Washington have worked tirelessly to improve the speed with which [wheelchair repairs](#) are carried out for persons with significant mobility impairments.
- P&As in states including [Tennessee](#), [Illinois](#), and [Colorado](#) have successfully advocated for effective communication access for incarcerated people who are deaf or hard of hearing.

CAP Program:

Congress established the Client Assistance Program (CAP) to assist people with disabilities who have questions or face challenges while receiving or applying for

Vocational Rehabilitation (VR) services from state VR agencies. VR services are designed to assist people with disabilities in preparing for, securing, retaining, and advancing in employment. CAP provides support in several areas, including applying for and obtaining appropriate VR services, creating or modifying an Individualized Plan for Employment (IPE), resolving issues with a VR agency, understanding notices from VR, and other VR related concerns.

CAP also assists students with disabilities in obtaining services that facilitate their transition from school to work. Additionally, in some cases, CAP organizations may provide information about Title I of the Americans with Disabilities Act, particularly for individuals who have historically been underserved or unserved by the VR program. Furthermore, CAP can advocate for those receiving services from federally funded Independent Living Centers (ILCs), and for individuals applying for or receiving services from Tribal VR offices.

CAP serves VR applicants and clients, clients seeking services from ILCs, and students with disabilities seeking access to pre-employment transition services. The proposed budget acknowledges the need for every state and territory to have a CAP, suggesting that VR funding could support the CAP program. When creating the CAP, Congress recognized the necessity of having an independent entity to effectively advocate for people with disabilities to achieve their desired employment outcomes. This proposal raises concerns about the potential conflict of interest, as it suggests allowing VR agencies to oversee and determine what is best for those they serve with no independent oversight.

While most VR systems operate fairly and strive to help individuals with disabilities, disputes do arise between the wishes of the client and the agency's decisions. Occasionally, a VR agency may not adhere to legal mandates. Without the presence of an independent advocate, people with disabilities will struggle to achieve their desired employment outcomes and economic self-sufficiency.

In 2024, the CAP, individually served nearly 3,900 individuals, offered information and referrals or technical assistance to over 15,500 people, delivered training to almost 40,000 individuals, and positively impacted tens of thousands of individuals through group advocacy.

We would like to share a quote from a veteran who received services from the Idaho CAP program. This quote exemplifies the positive impact that CAP services have on individuals with disabilities and underscores the negative consequences that would arise from the elimination of this program for those seeking CAP assistance.

"As a disabled Veteran and single father, I had applied to Vocational Rehabilitation to better myself, my situation, and better support my family. I had repeatedly asked for a specific type of training, only to be denied, despite the fact that the (cheaper) training program that VR wanted me to do, was not something I could accommodate with my disability. VR was

ready to deny my case despite this, so I reached out to CAP. I could not believe how helpful they (CAP) were! My caseworker was so thorough with summarizing the laws and articulating that to the management of VR, that they approved my case! If it were not for CAP, then I am certain VR would have (illegally) denied my case. It was an awful feeling to have given so much for my country just to be repeatedly denied for vocational training. I would not have a chance at a better life for myself without the effort of my caseworker and the other good people at CAP really going to bat for me"

As demonstrated, PAIR and CAP significantly benefit individuals with disabilities nationwide. Any elimination or reduction in funding for these vital programs will leave people with disabilities without the critical advocacy needed to protect them from abuse, neglect, or financial exploitation, or help obtaining critical VR services to gain employment.

Thank you for the opportunity to provide this statement on how the FY 2026 ED budget, if implemented, would negatively impact people with disabilities and shows a lack of priority for the needs of people with disabilities at the Department. Should you have questions or need more information, please be in touch with Eric Buehlmann, Deputy Executive Director for Public Policy at eric.buehlmann@ndrn.org.