



Living Independently for Today & Tomorrow  
1241 Crawford Drive, Billings, MT 59102 • (406) 259-5181  
119 South Kendrick • P.O. Box 1387 Glendive, MT 59330 • (406) 948-8500  
<http://www.liftt.org>

## Texas v. Becerra: A Plain English Brief

---

### 1. What is Texas v. Becerra?

---

*Texas v. Becerra* is a lawsuit filed by 17 states, including Montana, that challenges the federal government's authority to enforce Section 504 of the Rehabilitation Act of 1973. Section 504 is a key civil rights law that protects people with disabilities from discrimination in programs that receive federal funding—such as schools, hospitals, housing, and public transportation.

---

### 2. What's at Stake?

---

The lawsuit argues that the federal government has overstepped its power by using Section 504 to require states to comply with disability rights protections as a condition for receiving federal funding. If the lawsuit succeeds, it could strip away critical protections for people with disabilities in many areas, including:

- 2.1 Education:** Students with disabilities could lose accommodations in public schools and universities.
- 2.2 Healthcare:** Medical providers that receive federal funds might no longer be required to ensure equal access for patients with disabilities.



Living Independently for Today & Tomorrow  
1241 Crawford Drive, Billings, MT 59102 • (406) 259-5181  
119 South Kendrick • P.O. Box 1387 Glendive, MT 59330 • (406) 948-8500  
<http://www.liftt.org>

**2.3 Public Services:** Transportation systems, housing programs, and other services could reduce accessibility, making it harder for people with disabilities to live independently.

---

### **3. Why Are Some States Suing?**

---

The 17 states leading this lawsuit — including Texas, Montana, and others—argue that states should have the power to decide how they implement disability laws without federal oversight. They claim that requiring compliance with Section 504 as a condition for receiving federal funding is an unconstitutional form of government control.

---

### **4. What Would Happen If the Lawsuit Succeeds?**

---

If the courts rule in favor of Texas and the other states, the federal government's ability to enforce disability rights protections through Section 504 would be significantly weakened. This could lead to:

- 4.1** Less federal oversight on disability rights violations.
- 4.2** Increased barriers for people with disabilities in accessing education, healthcare, and employment.
- 4.3** Greater legal uncertainty, as different states could set their own standards for accessibility and inclusion.



Living Independently for Today & Tomorrow  
1241 Crawford Drive, Billings, MT 59102 • (406) 259-5181  
119 South Kendrick • P.O. Box 1387 Glendive, MT 59330 • (406) 948-8500  
<http://www.liftt.org>

---

## **5. Why Opponents Say This Lawsuit is Harmful**

---

Disability rights advocates argue that this lawsuit threatens decades of progress toward equal rights for people with disabilities. They warn that without strong federal protections, individuals with disabilities could face discrimination without legal recourse.

---

## **6. Where Does the Case Stand Now?**

---

The case is currently making its way through the courts, and legal experts believe it could take months or even years to reach a final decision. In the meantime, disability advocacy groups, including the Disability Rights Education and Defense Fund (DREDF) and the National Council on Independent Living (NCIL), are urging people to take action by asking their state leaders to withdraw from the lawsuit.

---

## **7. What Can Be Done?**

---

Advocates are encouraging Montana's Governor and Attorney General to withdraw from the lawsuit and reaffirm the state's commitment to disability rights. Citizens can also raise awareness, contact their representatives, and support organizations fighting to protect Section 504.



Living Independently for Today & Tomorrow  
1241 Crawford Drive, Billings, MT 59102 • (406) 259-5181  
119 South Kendrick • P.O. Box 1387 Glendive, MT 59330 • (406) 948-8500  
<http://www.lifft.org>

---

## 8. The Bottom Line

---

*Texas v. Becerra* isn't just a legal battle — it's a fight over whether people with disabilities will continue to have equal access to education, healthcare, and public life. If Montana remains part of this lawsuit, it risks weakening vital protections for some of its most vulnerable residents.

Carlos A. Ramalho, Executive Director  
LIFTT - Living Independently for Today & Tomorrow  
[www.lifft.org](http://www.lifft.org)

1241 Crawford Drive, Billings, MT 59102

Email [carlosr@lifft.org](mailto:carlosr@lifft.org)

Telephone (406) 259-5181

Facsimile (406) 259-5259

Direct (406) 294-5190

LIFTT is a Montana 501(c)3 corporation organized as a Center for Independent Living (CIL) with offices in Billings and Glendive. LIFTT provides services to people with disabilities in 18 counties in South and Central Eastern Montana: Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Garfield, Golden Valley, McCone, Musselshell, Powder River, Prairie, Richland, Rosebud, Stillwater, Treasure, Wibaux, and Yellowstone.

**Our Vision:** Empowering aging and disabled individuals to LIFTT themselves above the barriers of life.

**Our Mission:** Living Independently for Today and Tomorrow – LIFTT's mission is to empower aging and disabled individuals to live independently through education, support, and opportunities.

**Download our mobile app:** [Apple Store](#) | [Google Play](#)

**Support our mission:** [Donate here](#)