



Laura Belin &lt;laurarbelin@bleedingheartland.com&gt;

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## seeking comment on lawsuit over section 504

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Laura Belin &lt;laurarbelin@bleedingheartland.com&gt;

Wed, Feb 12, 2025 at 11:41 AM

To: "Brouillet, Alyssa" &lt;alyssa.brouillet@ag.iowa.gov&gt;, eric.wessan@ag.iowa.gov

I'm asking for a third straight day.

Did Attorney General Bird misunderstand the nature of the Texas v Becerra lawsuit Iowa joined in September 2024?

Is there in fact some "amicus brief" Iowa signed onto, that is different from the complaint I have already read? If so, please send me a copy.

<https://www.texasattorneygeneral.gov/sites/default/files/images/press/HHS%20Rehabilitation%20Act%20Complaint%20Filestamped.pdf>

What is the state of Iowa's position on Section 504 of the Rehabilitation Act? Is the state of Iowa still a party to this lawsuit?

Why did Attorney General Bird tell me it was an "urban legend" that the lawsuit is seeking to have Section 504 declared unconstitutional? Count 3 of this complaint expressly says, **Section 504 is Unconstitutional**

Thanks in advance for any clarification or comments you can provide.

Laura

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From: **Laura Belin** <laurarbelin@bleedingheartland.com>

Date: Tue, Feb 11, 2025 at 1:30 PM

Subject: Re: seeking comment on lawsuit over section 504

To: Brouillet, Alyssa <alyssa.brouillet@ag.iowa.gov>, <eric.wessan@ag.iowa.gov>

Renewing my questions about this. Attorney General Bird offered to send me "the amicus brief" on this issue. If there is an amicus brief that is different from the September 2024 court filing, please send it my way.

Also let me know whether Iowa withdrew as one of the plaintiffs in the Texas lawsuit seeking to have Section 504 of the Rehabilitation Act declared unconstitutional.

<https://www.texasattorneygeneral.gov/sites/default/files/images/press/HHS%20Rehabilitation%20Act%20Complaint%20Filestamped.pdf>

I'm trying to understand what is going on here. Attorney General Bird told me what I described was an "urban legend," but it's spelled out right there in the initial complaint.

On Mon, Feb 10, 2025 at 9:56 PM Laura Belin <laurarbelin@bleedingheartland.com> wrote:

Correcting a typo: I meant to say that the lawsuit challenges Section 504 of the Rehabilitation act as a whole--not only the Biden administration rule relating to gender dysphoria.

Copying the solicitor general in case he can shed light on this, since he signed this September 2024 court filing on behalf of Iowa.

<https://www.texasattorneygeneral.gov/sites/default/files/images/press/HHS%20Rehabilitation%20Act%20Complaint%20Filestamped.pdf>

Did Iowa step away from this position and advocate a more narrow challenge to the Biden rule?

Please send me any other relevant court filings related to Iowa and the effort to declare Section 504 of the Rehabilitation Act unconstitutional.

Thank you in advance,

Laura

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From: **Laura Belin** <[laurarbelin@bleedingheartland.com](mailto:laurarbelin@bleedingheartland.com)>  
Date: Mon, Feb 10, 2025 at 6:19 PM  
Subject: Re: seeking comment on lawsuit over section 504  
To: Brouillet, Alyssa <[alyssa.brouillet@ag.iowa.gov](mailto:alyssa.brouillet@ag.iowa.gov)>

Alyssa, Attorney General Bird told me this afternoon that it's an "urban legend" to claim the lawsuit is seeking to have Section 504 declared unconstitutional. She said your office can send the amicus brief. Please send me the brief she is referring to.

Please also clarify whether Iowa is still a party to this lawsuit, filed in September 2024:

<https://www.texasattorneygeneral.gov/sites/default/files/images/press/HHS%20Rehabilitation%20Act%20Complaint%20Filestamped.pdf>

Note that this lawsuit challenges the Rehabilitation Act as a whole--not only the Biden administrative rule that suggested gender dysphoria is a disability.

Plaintiffs respectfully request that the Court:

- a. Issue permanent injunctive relief against Defendants enjoining them from enforcing the Final Rule;
- b. Declare that the Final Rule violates the Administrative Procedure Act;
- c. Hold unlawful and set aside (*i.e.*, vacate) the Final Rule;
- d. Declare Section 504, 29 U.S.C. § 794, unconstitutional;
- e. Issue permanent injunctive relief against Defendants enjoining them from enforcing Section 504;
- f. Award attorneys' fees and costs incurred in this action to Plaintiffs;
- g. Issue any and all other relief to Plaintiffs the Court deems just and proper.

On Mon, Feb 10, 2025 at 2:40 PM Laura Belin <laurabelin@bleedingheartland.com> wrote:

Hello Alyssa,

I have learned that Attorney General Bird signed on to this lawsuit several months ago. Was this ever announced? I do not recall seeing it.

<https://www.texasattorneygeneral.gov/sites/default/files/images/press/HHS%20Rehabilitation%20Act%20Complaint%20Filestamped.pdf>

Within the disability community, there is a lot of concern that this lawsuit will lead to the elimination of 504 plans.

I note that the states including Iowa are 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."

Why does Attorney General Bird want to eliminate 504 plans?

Did she consult with anyone in the disability community to find out how this would affect children who need accommodations in order to receive a free and appropriate public education?

Why hasn't the Attorney General's office highlighted this litigation?

Thanks in advance for any comments you can provide.

Yours,

Laura

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