



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Washington, DC, July 13, 2018 -- The Consortium for Citizens with Disabilities (CCD) strongly condemns President Trump's *Executive Order Excepting Administrative Law Judges From The Competitive Service* issued on July 10. This unprecedented action needlessly politicizes the hiring of Administrative Law Judges (ALJ) tasked with providing fair and non-political decisions regarding the rights of people with disabilities to access vital health care and Social Security disability benefits, as well as to resolve certain employment and labor disputes. Changing the hiring process for ALJs in agencies governmentwide from a merit-based system to a political one is unnecessary and harmful, threatening the qualified judicial independence of these judges and undermining the due process rights of people with disabilities to access benefits that allow them to live independently in the community and enforce their rights provided under certain statutes against discrimination in employment.

Being licensed to practice law is now the only qualification an individual must have to be hired as an ALJ. This change opens the door to the hiring of ALJs who lack the requisite knowledge and experience to provide fair hearings to people with disabilities across the government. These hearings include appealing denials of coverage for vital health care provided through Medicare, appealing denials of eligibility for Social Security Disability Insurance and Supplemental Security Income benefits, and fighting discrimination and unfair wage practices in employment. In addition, ALJs hired through a politicized process are likely to be less independent from political pressure. Instead they might feel compelled to decide matters before them in a manner preferred by the appointing agency, rather than in a neutral way that best applies the relevant law and regulations.

“People with disabilities deserve to have their administrative appeals heard by qualified ALJs who have experience and knowledge about the administrative hearing process and who will accurately and fairly decide their eligibility and enforce their rights. ALJs should continue to be hired under a merit-based system with an emphasis on candidate qualifications and ability to hear cases in a fair manner,” says Kim Musheno, CCD Chair.

CCD urges President Trump to rescind his Executive Order and resume hiring ALJs through a competitive process that ensures the qualified judicial independence of ALJs and the due process rights of people with disabilities. If the EO is not rescinded, CCD urges all agencies that use ALJs to hear administrative appeals to put in place hiring procedures that protect the independence of ALJs and continue to require newly hired ALJs to have knowledge and experience that qualify them to make these decisions of critical importance to people with disabilities.

CCD is the largest coalition of national organizations working together to advocate 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.

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