



December 6, 2022

The Honorable Chuck Schumer  
Majority Leader  
U.S. Senate

The Honorable Mitch McConnell  
Minority Leader  
U.S. Senate

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives

Dear Leader Schumer, Leader McConnell, Speaker Pelosi, and Leader McCarthy:

The undersigned members of the Consortium for Constituents with Disabilities (CCD) DD, Autism, and Family Support Task Force writes to urge you to include a ban on electroshock devices used as behavioral control on people with disabilities in the end of the year FY 2023 funding package. The House passed an electroshock device ban as part of the Food and Drug Administration (FDA) User Fee legislation and a similar ban was adopted by amendment during the Senate's mark-up for the User Fee legislation. While we were disappointed that the provision was not included in the 5-year extension of the User Fee bill, the clear bipartisan support for this provision makes the ban an ideal provision to include in the end of year omnibus funding bill.

Banning the use of electrical stimulation devices (ESDs) in response to aggressive or self-injurious behaviors is supported by the medical community that specializes in treatment of people with intellectual and developmental disabilities. ESDs are widely condemned for being ineffective and causing excruciating pain but are often used on children and adults with disabilities. On the basis of clear evidence, the FDA previously determined that these devices present an unreasonable and substantial risk of illness or injury that cannot be corrected or eliminated by labeling. Unfortunately, this prohibition was struck down because of a regulatory technicality. We now need Congress to reinstate the ban and protect people with disabilities.

The CCD DD Autism and Family Support Task Force advocate for federal public policies that directly relate to individuals with developmental disabilities, autism spectrum disorders, family supports and the prevention of child abuse and neglect.

Please help end this inhumane practice and help ensure the dignity and safety of people with disabilities by passing the ban in the end of year package.

Sincerely,

American Academy of Pediatrics  
American Network of Community Options and Resources  
American Occupational Therapy Association  
Association of University Centers on Disabilities  
Autistic Self Advocacy Network  
Autism Society of America  
Autism Speaks  
Autistic Women & Nonbinary Network  
Council of Parent Attorneys and Advocates  
Disability Rights Education and Defense Fund  
National Association of Councils on Developmental Disabilities  
National Association of State Directors of Developmental Disabilities Services  
National Down Syndrome Congress  
Partnership for Inclusive Disaster  
TASH  
The Arc of the United States  
United Cerebral Palsy

CC: Senate Finance and HELP Committees