



## Federal judge orders reinstatement of AAP funding that supports child health programs

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A federal court has ordered the U.S. Department of Health and Human Services (HHS) to restore nearly \$12 million in AAP grants while the Academy's case against the government proceeds.

The AAP sued HHS after the agency [abruptly terminated](#) seven long-running awards administered through the Centers for Disease Control and Prevention and the Health Resources and Services Administration. The AAP had [asked the judge](#) to restore the funding while the case proceeds.

The awards fund programs related to sudden infant death; early detection of developmental disabilities and birth defects; pediatric care in rural communities; support for teens with substance use and mental health challenges; and improving standards of care for newborns.

Without court intervention, the AAP warned these programs would cease, staff would be laid off, and children and families across the country would lose access to life-saving health services.

"Today's court action offers welcome relief for children and families who benefit from these important services that make communities safer and healthier," AAP CEO/Executive Vice President Mark Del Monte, J.D., said Monday. "The federal government remains an essential partner to improving the health of children. The AAP will continue to do all we can to support children's health and well-being, just as we've always done, and we will continue to speak out and take action against threats to children's health, just as we've always done."

The AAP argued the funding cuts violate the First Amendment, and the actions were retaliatory against the organization for speaking out against the administration's actions that have threatened children's health. The AAP has a separate [lawsuit](#) against HHS over federal vaccine policy and advisers.

In her [decision](#), U.S. District Judge Beryl A. Howell noted the "timing of HHS' retaliatory act of terminating the seven grants has almost perfectly coincided with significant events in one area of AAP's First Amendment protected speech, namely, the lawsuit that AAP brought challenging agency actions...."

"Retaliatory actions serve both to punish past disfavored speech and as a warning shot to chill such speech in the future," Judge Howell wrote. "The continuing HHS grant awards to AAP simply leaves AAP, and other HHS grant recipients, to ponder the level of critical public debate HHS would tolerate before issuing further grant terminations, including of AAP's four remaining HHS grants, which may serve as an additional deterrent against future protected speech."

Judge Howell also noted the potential impact on the public, writing, "When force and coercion replace reason in the marketplace of ideas, the public suffers by denial of access to high-quality information. In the realm of public health policy, where evidence-based research can make the difference between lives well-lived and chronic illness or even death, assuring such public access to information and debate is acutely important."

The AAP is represented pro bono in the case by Democracy Forward, a national legal organization that advances democracy and social progress through litigation, policy and public education, and regulatory engagement.

"Once again, we took the administration to court to defend children, communities and the Constitution — and once again, we won," Democracy Forward President and CEO Skye Perryman said. "The court shut down a dangerous attempt to use federal funding as a political weapon and punish pediatricians for speaking the truth. This ruling sends a clear message: no administration gets to silence doctors, undermine public health, or put kids at risk, and we will not stop fighting until this unlawful retaliation is fully ended."