



Consortium for Constituents with Disabilities (CCD) Task Force Co-Chairs Statement on Project 2025

The Consortium for Constituents with Disabilities (CCD), headquartered in Washington DC, 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. Since 1973, CCD has advocated on behalf of people of all ages with physical and mental disabilities and their families. CCD has worked to achieve federal legislation and regulations that assure that the millions of children and adults with disabilities are fully integrated into the mainstream of society.

CCD envisions an American society in which all individuals have the freedom and opportunity to exercise individual decisions concerning their own lives, welfare, and personal dignity. CCD envisions a society in which communities are fully accessible to all individuals with disabilities and their families, where they are included and fully participate in all aspects of community life. In CCD's vision of society, individuals with disabilities exercise their full rights and responsibilities free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance.

Based on its decades of experience, CCD knows that people with disabilities need strong federal laws, policies, and programs that take their needs and aspirations into account. The Heritage Foundation's Project 2025 plan would eviscerate these standards and push disabled people back to an earlier, shameful era of isolation, exclusion, and institutionalization.

The below-signed CCD Task Force Co-Chairs provide this statement to articulate some of the harmful impacts that Project 2025 would have on the disability community.

Project 2025 and Medicaid

Millions of people with disabilities depend on Medicaid for the essential health care and Long-Term Services and Supports (LTSS) vital to allow them to live and engage in their communities. Medicaid LTSS provide wide-ranging benefits for people with disabilities needing support for activities of daily living including mobility, eating, bathing, and toileting. LTSS also includes other essential services that allow people to live independently like case management, personal care, employment support, and home health services.

Project 2025 represents yet another organized attempt to threaten access to these vital services by capping federal spending on Medicaid and implementing additional barriers to coverage like ineffective and harmful work requirements. The policies recommended in Project 2025 would lead to unnecessary budget cuts, increased uncompensated care, and worse health outcomes for people with disabilities. Project 2025 jeopardizes access to LTSS for millions of low-income individuals, including children and adults with disabilities, and older adults.

Specifically, Project 2025 recommends turning Medicaid into a block grant or per capita cap program. (466.) Block grants, per capita caps, and similar measures limit Medicaid spending by

formula without regard for participant needs, inherently disadvantaging those with complex and long-term care needs. Such proposals have traditionally involved massive cuts to Medicaid programs, forcing states to either significantly limit the number of individuals enrolled in Medicaid, reduce covered benefits, or both.¹

Project 2025 would also roll back federal funding for Medicaid expansion and set lifetime eligibility limits which could cut off people with disabilities who need Medicaid LTSS to stay active, work, and live in their communities. (467.) These changes would gut Medicaid as we know it. People with disabilities represent 20 to 30 percent of the millions of people covered by the adult Medicaid expansion.² Other Project 2025 proposals, such as allowing states to impose work requirements, massively increase the red tape people have to navigate to stay enrolled in the program. When Arkansas imposed a work requirement briefly in 2018, over 18,000 people were cut after just a few months.³ Many of these terminations may have resulted from burdensome and dysfunctional exemptions processes for people with disabilities who could not work.⁴

Another Project 2025 proposal recommends limiting LTSS “to serve the most vulnerable and truly needy and eliminate middle-income to upper-income Medicaid recipients.” (468.) This proposal incorrectly presupposes that disabled people have a pathway to access LTSS without Medicaid. However, private insurance and Medicare do not offer comprehensive LTSS benefits, and paying for any kind of robust LTSS out of pocket would quickly impoverish all but the most wealthy. People with disabilities need Medicaid services to live at home, remain independent, and contribute to their communities. Medicaid is often the only viable option for many people with disabilities, regardless of their income.⁵

Project 2025 and Additional Healthcare Issues

Beyond Medicaid, Project 2025 recommends expanding access to limited-duration health plans and other limited coverage plans that allow insurers to refuse to cover people with preexisting conditions. These plans offer limited benefits that often leave enrollees unable to pay for necessary medical care. It would repeal the Inflation Reduction Act (at 466), including affordability protections that reduced insulin copays to \$35, set an annual limit of \$2000 for Medicare Part D drugs, and for the first time allow the government to negotiate lower prices for

¹ National Health Law Program, Evaluating Medicaid Block Grants & Per Capita Caps (Mar. 17, 2023), <https://healthlaw.org/resource/evaluating-medicaid-block-grants-per-capita-caps-updated-2023/>; Julie Carter, Block Granting Medicaid is a Dangerous Step for Older Adults and People with Disabilities (Jan. 9, 2020), <https://www.medicarerights.org/medicare-watch/2020/01/09/blog-block-granting-medicaid-is-a-dangerous-step-for-older-adults-and-people-with-disabilities>.

² David Machledt, National Health Law Program, The Faces of Medicaid Expansion: Filling Gaps in Coverage Update (Apr. 2023), <https://healthlaw.org/resource/the-faces-of-medicaid-expansion-filling-gaps-in-coverage/>.

³ Robin Rudowitz, MaryBeth Musumeci & Cornelia Hall, Kaiser Family Found., February State Data for Medicaid Work Requirements in Arkansas (Mar. 25, 2019), <https://www.kff.org/medicaid/issue-brief/state-data-for-medicaid-work-requirements-in-arkansas/>.

⁴ MaryBeth Musumeci, Kaiser Family Found., Disability and Technical Issues Were Key Barriers to Meeting Arkansas' Medicaid Work and Reporting Requirements in 2018 (Jun. 11, 2019), <https://www.kff.org/report-section/disability-and-technical-issues-were-key-barriers-to-meeting-arkansas-medicaid-work-and-reporting-requirements-in-2018-issue-brief/>.

⁵ Priya Chidambaram and Alice Burns, 10 Things About Long-Term Services and Supports (LTSS), KFF (July 8, 2024), <https://www.kff.org/medicaid/issue-brief/10-things-about-long-term-services-and-supports-ltss/>.

certain Medicare drugs. The initial round of negotiations is projected to save the program over \$6 billion when it goes into effect in 2026. More importantly, the copayment protections and reduced prices would save Medicare enrollees \$1.5 billion in 2026.⁶

Repealing these provisions would be a major step in the wrong direction. Project 2025's proposals would take the country in the wrong direction on health care, returning us to a patchwork system that too often discriminated against people with disabilities.

Further, Project 2025 proposes to reduce the equity initiatives in the National Strategy to Support Family Caregivers, thereby deprioritizing families from diverse backgrounds relying on informal supports. (483.) Family caregivers provide essential care to their loved ones with disabilities across the many diverse identities within the disability community.

Other equity-based policies, including protections in Section 504 of the Rehabilitation Act and Section 1557 of the Affordable Care Act, would be rolled back despite the recent publication of final rules providing much-needed modernization of anti-discrimination provisions for people with disabilities. (495-96.)

Project 2025 and Education

If implemented, Project 2025 would significantly impact education for students with disabilities by its proposal to restructure federal funding for educational services and supports. The plan calls for converting federal funds currently provided under the Individuals with Disabilities Education Act (IDEA) and Title I programs under the Elementary and Secondary Education Act (ESEA) into block grants, giving states more flexibility in how they use these funds. One major concern is that this change could weaken accountability and oversight, potentially leading to inconsistent support for students with disabilities.

Under the proposed changes, parents could use their child's IDEA funding for private schooling or other educational expenses, such as through education savings accounts, rather than relying on public school programs. However, this shift could come at a cost to students and families. Non-public (private and religious) schools are not required to offer the same civil and education rights, protections, or education-related services as public schools under federal law. With more than 82 percent of students attending a public school and 15 percent of those students identified as eligible under the IDEA, this could leave millions of students with fewer guarantees of receiving the necessary educational supports and services or accessing important due process protections under the IDEA. Additionally, non-public schools are not required to measure if students are meeting state-set standards in reading and math or graduating from high school. The plan also includes proposals to eliminate or reduce funding for programs like Head Start, which supports early education for children with disabilities. For these reasons, CCD's Education Task Force opposes federal funds being used for voucher or voucher-like programs.

Additionally, Project 2025 includes plans to eliminate the U.S. Department of Education and transfer oversight of disability services to the Department of Health and Human Services (HHS). This restructuring could further distance disability programs from the broader educational framework, potentially reducing the integration of students with and without disabilities. The

⁶ CMS, Medicare Drug Price Negotiation Program: Negotiated Prices for Initial Price Applicability Year 2026 (Aug 14, 2024), <https://www.cms.gov/newsroom/fact-sheets/medicare-drug-price-negotiation-program-negotiated-prices-initial-price-applicability-year-2026>.

Department of Education provides significant oversight and guidance to states to ensure that students are getting a Free and Appropriate Public Education (FAPE) in the least restrictive environment as required by federal laws. For example, the Office for Civil Rights within the Department of Education collects important data on civil rights for students. When the Department finds that a state or school district is violating federal laws, it can file a lawsuit and negotiate solutions to help states and districts resolve these violations. The Department simultaneously provides significant guidance to help the state and district solve these issues. Individual students are currently also allowed to file complaints. The proposed changes would erode long-established legal protections and make it harder for families to seek recourse if their rights are violated.

Many education-related therapies and support services are paid for by the Medicaid program, especially for low-income students. Cuts to Medicaid outlined in the health and long-term services section of this document will also undermine schools' ability to provide many services needed for students to be successful in school and to ultimately gain the skills needed to access post-secondary education, become employed and live independently.

Lastly, it proposes to eliminate a long list of terms from all laws and federal regulations, including "diversity, equity, and inclusion," "sexual orientation," and "gender equality." Furthermore, the plan emphasizes banning "critical race theory" and "gender ideology" in public schools, with potential punitive measures for educators who violate these bans. This means that protections for many students, especially students who are Black, Indigenous, people of color (BIPOC), would be removed. Rolling back civil rights protections in education could make it harder for students with disabilities to receive the support they need to succeed academically. It also has the potential to reduce the ability to recruit high quality teachers. This violates CCD's mission and vision for full inclusion regardless of disability, race, ethnicity, gender, sexual orientation, or religion.

In summary, while Project 2025 promises increased flexibility for parents, it raises significant concerns about the potential loss of critical protections and consistent access to educational supports and services for students with disabilities. Project 2025 would disproportionately impact BIPOC students with disabilities who are already marginalized, mistreated, and misrepresented in schools. Undermining equity in schools not only hurts individuals and families; it also has long-lasting effects on our nation's economy and democracy.

Project 2025 and Housing

Chapter 15 of Project 2025 presents an existential threat to federal housing programs as we know it. It outlines the dismantling of the Department of Housing and Urban Development (HUD) and most critical federal rental and homeownership housing assistance, which support extremely low- and low-income families and individuals, including people with all different types of disabilities. Since disabled people are most acutely impacted by the housing crisis, in one way or another, disabled people are impacted by all federal housing programs. Therefore, all of Project 2025's housing plans threaten disabled people and their ability to obtain and retain accessible, affordable, and integrated housing, free from discrimination.

Project 2025 would end Housing First programs, which ensure that people experiencing homelessness, regardless of circumstance, can access housing. Housing First has proven to support the reduction of homelessness and increase access to services for those with the most significant disabilities and substance use disorders. Moreover, Project 2025 proposes introducing new work requirements and time limits for subsidized and federally assisted

housing. This would have disproportionate consequences for disabled people, who face barriers to employment and would be at the greatest risk of losing housing due to burdensome reporting requirements even when they are able to work. Project 2025 would also make it harder for people with disabilities to get support for housing needs by rejecting Medicaid 1115 waivers to address “non-medical” needs such as housing supports and other health-related social needs such as food and nutrition support. (469.)

Project 2025 would also end key fair housing protections, such as repealing regulations that require federally funded housing programs to address discrimination based on disability and other protected characteristics. This includes but is not limited to, repealing the Affirmatively Furthering Fair Housing rule and all equity-related initiatives. It would prohibit noncitizens, including mixed-status families, from living in federally assisted housing. This is in addition to other measures, such as changes to the Public Charge rule, that would make it harder for immigrant households to seek supports and services for disabilities without risking their residency status (145, 509.) It would also end the use of disparate impact analysis, an essential tool for enforcing the Fair Housing Act, Section 504, and other civil rights laws. It would also cease critical studies that HUD conducts to further understand the problem and solutions needed to end the nation’s housing crisis (509.) This research includes publications such as, “A Review of Work Requirement Policies in HUD-Funded Assisted Housing: Final Research Report” and “Housing Search Assistance for Non-Elderly People with Disabilities: Final Comprehensive Report.”

Chapter 15 also calls for eliminating the Housing Supply Fund and housing programs to address the climate crisis (509.) Ending these programs contradicts the need for more support of accessible, affordable, sustainable, and integrated housing stock. Moreover, there will be increased privatization and greater emphasis on single-family homes, instead of a diverse array of affordable housing options, including multifamily housing.

Project 2025 and Emergency Management Including Disaster Planning

In order to be treated equitably in disasters disabled people need support from the federal government. People with disabilities are reliant on a robust federal government that can quickly and equitably provide services to disabled people in disasters. Cuts and other changes posed in Project 2025 would weaken, and in some cases dismantle, federal agencies that are already struggling to adequately support disabled disaster survivors.

Under Project 2025, FEMA would be moved to the Department of the Interior or the Department of Transportation. (134.) There, FEMA’s purpose and functions will become marginalized and more under-resourced. (153.) This will result in fewer resources for disabled people which will result in poorer outcomes for disabled people including increased rates of injury, illness, institutionalization, and premature death.

Other proposed changes such as raising the threshold and reversing the state/federal cost share will shift many responsibilities from the federal government to states and territories. Given that under the Stafford Act a federal disaster declaration can only be issued when the demand for resources has exceeded states’/territories’ capacity, the proposed changes will result in there being fewer resources for disabled people after disasters.

Critically, using federalism to remove sources of federal funding will devastate federal civil rights protections under section 504 of the Rehabilitation Act by depleting already grossly inadequate enforcement funds. (154.)

Project 2025 will functionally eliminate the Office of Civil Rights and Civil Liberties (CRCL) in the Department of Homeland Security by having a few of its functions “absorbed” by the Office of the General Counsel. (164-5.) This will render CRCL unable to contribute to meaningful monitoring and enforcement of the rights of disabled people in disasters, which is already woefully inadequate.

Dismantling NOAA as climate change is fueling more frequent and severe disasters is particularly ill advised. This will result in increased injury and death, and will disproportionately impact disabled people. Characterizing climate change as a debatable issue which must be presented “neutrally” will disproportionately cause disabled people to become injured and die. (674-77.)

By limiting the authority of the Centers for Disease Control and Prevention (CDC) Project 2025 will result in injury, institutionalization, and premature deaths of disabled people. Marginalizing the CDC will hinder disabled people’s ability to maintain their health during COVID and subsequent public health emergencies. (452-57.)

Project 2025, refers to mask and vaccine mandates as un-American and makes the false claim that “masks provide little to no benefit in preventing the spread of viruses and might even be counterproductive” (283.) Denying vaccine and mask effectiveness will increase the incidence of COVID and Long COVID, which disabled people contract at disproportionately higher rates. This will result in more severe illness and higher mortality rates among disabled people.

Project 2025 will lead to injuries, illness, and death of disabled people in disasters and public health emergencies.

Project 2025 and Civil Rights

Project 2025 would limit and restrict the civil rights and civil liberties of people with disabilities across many areas of society, including in the areas already mentioned. As stated, by dramatically limiting access to Medicaid, Project 2025 would weaken the critical supports that allow people with disabilities to live integrated lives in the community. These include services and devices not covered by private insurance such as personal attendants and wheelchairs. The right to be free from segregation and receive services in the most integrated setting, which is almost always in the community, was recognized by the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999). Without supports funded by Medicaid, people with disabilities face segregation and unnecessary institutionalization in nursing homes, hospitals, and other segregated institutional settings.

Project 2025 would also undermine the Affordable Care Act (ACA) and its nondiscrimination provision Section 1557 by returning control over healthcare back to the “private market.” (469-70.) Before the ACA, people with disabilities could not leave their jobs or were forced to stay on Medicaid to maintain access to life-saving healthcare. Project 2025 would leave disabled people once again at the mercy of insurance companies. Project 2025 would also legalize discrimination based on pregnancy, sexual orientation, and transgender status in federally funded health programs. (475, 495-96.)

In the area of education, Project 2025 would eliminate the U.S. Department of Education – the federal agency that sets standards for serving K-12 students, including disabled and low-income students, and investigates complaints of discrimination in all schools including higher education.

(325-30.) Project 2025 would legalize discrimination based on sexual orientation and transgender status at school. (333-34.)

Across all sectors, Project 2025 would seek to rescind regulations that define prohibited discrimination as including “disparate impact.” (334-36, 583.) Disparate impact means discrimination that is not intentional. In most cases, disability discrimination does not happen because of an intent to hurt people with disabilities. Most discrimination against people with disabilities happens because of how society has been organized and built, and due to thoughtlessness about how to make sure disabled people are included. For example, policies that seem neutral often discriminate against and harm disabled people. This is one of the most common ways that disability discrimination happens.

Ending disparate impact discrimination means changing the ways that institutions do things to include people. This can include ending the use of unnecessary tests or other entrance requirements that exclude people based on a legally protected status, taking affirmative steps to make institutions more inclusive, and learning about (including by collecting data) and dismantling historic and present-day barriers to equality. Project 2025 would eliminate the right to challenge disparate impact discrimination and would bar the federal government from supporting any of these efforts. (72, 258, 342-43, 348, 441, 462, 561, 582-83.) Enforcing laws and policies that end and prevent unintentional discrimination is a critical tool in our collective struggle to make our society more equitable and inclusive.

Project 2025 would severely restrict and likely ban access to abortion and certain forms of contraception for everyone, including people with disabilities. (285, 450, 454, 458, 459, 485, 558.) Disabled people get pregnant at similar rates to nondisabled people and need access to a full range of accessible reproductive health care. Pregnant disabled people are at higher risk for nearly every type of severe pregnancy complication and are 11 times more likely to die during childbirth.⁷ People with disabilities are entitled to make decisions about their bodies but have historically been denied this right.

Transgender people including trans children and youth are disproportionately disabled with disabilities like gender dysphoria, autism, ADHD, and anxiety disorders. Project 2025 demonizes trans people and would restrict or end access to gender-affirming care. (1, 8, 62, 103-04, 284, 333, 345-46, 450, 456, 462, 472, 485, 491, 586, 644.) It would rescind federal policies and rules protecting people from discrimination based on sexual orientation and transgender status in federally funded programs. (4-5, 322, 333-34, 337, 343-44, 475, 477, 489, 495-96, 584-85.)

Conclusion

The above content reviews only some of the ways that implementing policies contained in Project 2025 would harm people with disabilities, perpetuate injustice, and hinder the full integration, acceptance, and inclusion of people with disabilities in all aspects of society. We urge federal lawmakers and agencies to reject these regressive proposals that would harm our community and to instead implement laws, policies, rules, and programs that ban discrimination and advance the dignity and equality of disabled people.

⁷ Jessica Gleason et al., Risk of Adverse Maternal Outcomes in Pregnant Women with Disabilities, *J. Am. Med. Ass’n Network Open*, Dec. 15, 2021, at 2, 4-7.

Sincerely,

Eric Buehlmann
National Disability Rights Network (NDRN)
Co-Chair, CCD Technology and Telecommunication Task Force

Claudia Center
Disability Rights Education and Defense Fund
Co-Chair, CCD Rights Task Force

Tory Cross
Caring Across Generations
Co-Chair, CCD Long Term Supports and Services Task Force

Lydia Dawson
American Network of Community Options and Resources
Co-Chair, CCD Long Term Services and Supports Task Force

Laura Kaloi
Center for Learner Equity
Co-Chair, CCD Education Task Force

Jennifer Lav
National Health Law Program
Co-Chair, CCD Long Term Supports and Services Task Force

David Machledt
National Health Law Program
Co-Chair, CCD Health Task Force

Germán Parodi & Shaylin Sluzalis
The Partnership for Inclusive Disaster Strategies
Co-Chairs, CCD Emergency Management Task Force

Gelila Selassie
Justice in Aging
Co-Chair, CCD Long Term Services and Supports Task Force

Megan E. Schuller
The Bazelon Center for Mental Health Law
Co-Chair, CCD Rights Task Force

Morgan K. Whitlatch
Center for Public Representation
Co-Chair, CCD Rights Task Force