

**LESSONS FROM THE FIELD: LEARNING FROM
WHAT WORKS FOR EMPLOYMENT FOR
PERSONS WITH DISABILITIES**

HEARING
OF THE
**COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS**
UNITED STATES SENATE
ONE HUNDRED TWELFTH CONGRESS
FIRST SESSION
ON
EXAMINING LEARNING FROM WHAT WORKS FOR EMPLOYMENT FOR
PERSONS WITH DISABILITIES

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JULY 14, 2011
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LESSONS FROM THE FIELD: LEARNING FROM WHAT WORKS FOR EMPLOYMENT FOR PERSONS WITH DISABILITIES

THURSDAY, JULY 14, 2011

U.S. SENATE,
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:03 a.m., in Room SD-430, Dirksen Senate Office Building, Hon. Tom Harkin, chairman of the committee, presiding.

Present: Senators Harkin, Casey, Blumenthal, and Enzi.

OPENING STATEMENT OF SENATOR HARKIN

The CHAIRMAN. The Senate Committee on Health, Education, Labor, and Pensions will please come to order.

The title of this hearing is “Lessons From the Field: Learning What Works for Employment for Persons with Disabilities.” The purpose of today’s bipartisan hearing is to learn from a diverse group of witnesses about proven strategies that have a positive impact on employment outcomes for all people with disabilities, including young adults and veterans.

Later this month, we’ll mark the 21st anniversary of the signing of the Americans With Disabilities Act, landmark legislation that made our country more accessible, that raised the expectations of people with disabilities and their families about what they can hope to achieve at work and in life, and inspired the world to view disability issues through a human rights frame and not simply through a medical or a charity model.

The ADA stands for the proposition that disability is a natural part of the human experience that in no way should limit a person’s right to fully participate in all aspects of society, including employment. Thanks to the ADA, our built environment and our transportation and telecommunications infrastructures are dramatically more welcoming to people with disabilities. Yet, notwithstanding the many improvements that have been brought by the ADA, the sad reality is that people with disabilities still experience discrimination and encounter low expectations as they engage in the workforce.

As we enter the third decade since its passage, I believe that one of the critical challenges we still need to tackle is the persistently low employment rates among Americans with disabilities. In 2008, the Bureau of Labor Statistics began collecting monthly statistics that help us track the workforce participation of Americans with

disabilities. As of June 2011, less than a third of working-age people with disabilities were participating in the labor force.

The disability labor force, which includes people with disabilities who are either working or actively looking for a job, was a little over 5 million. Last April, at a disability employment summit hosted by the U.S. Chamber of Commerce and the U.S. Business Leadership Network, I challenged the employer representatives in the room to work to increase the size of the disability labor force to 6 million by 2015. Later that week, in a piece he wrote for *The Examiner*, Mr. Tom Donahue from the Chamber endorsed the goal, encouraged his colleagues to meet or exceed the 6 million number because, "It's a good thing to do and it's good for business."

If we're going to get serious about the growing size of the disability workforce, we need to start by recognizing that people with disabilities have been disproportionately impacted by the bad economy. Compared to the general workforce, in the last 2 years adults with disabilities have left the labor force at a rate six times the rate of adults without disabilities. Today's hearing creates an opportunity for us to have a discussion about how to turn that trend around.

At a hearing in March we learned about Walgreens' public commitment that at least 20 percent of the workers in their distribution centers will be workers with disabilities. As Governor Ridge notes in his written testimony for today's hearing, a number of companies have been inspired by Walgreens' example and have begun their own targeted hiring programs.

But employment is not just about labor statistics. Work helps all of us, including people with disabilities, create structure and meaning in our lives and provides real opportunities to be full participants in our society and to access the American dream.

We have a very distinguished panel today. First, Ms. Kathy Martinez, the Assistant Secretary for the Office of Disability Employment Policy at the Department of Labor; and then next we'll hear from former Governor Tom Ridge and former first Secretary, as we know, of the Department of Homeland Security, who's been a champion for disability employment in the public and private sectors; Deborah Dagit, vice president and chief diversity officer at Merck; and a young woman with a disability who is at the beginning of what I'm sure will be a successful career, Amelia Wallrich.

Our goal is to ensure that all individuals with disabilities have similar opportunities for careers that meet their goals, interests, and high expectations.

Before we move on to our first witness, I want to acknowledge the many folks in the room and I guess in a spillover room who are in town for the National Council on Independent Living's national conference. NCIL, as it's known, is a great grassroots organization that is making a real impact in improving the quality of life of people with disabilities all over the country, and I appreciate NCIL's commitment to improving employment outcomes for people with disabilities as part of their work to promote independent living.

Now I want to also take a moment to thank my colleague and the Ranking Member on this committee, Senator Enzi, for his own commitment and long-time leadership, both as Ranking Member

and when he was chairman of this committee, on these issues. So now I turn to him for his opening statement.

OPENING STATEMENT OF SENATOR ENZI

Senator ENZI. Thank you, Mr. Chairman, for holding this hearing. I know it's something near and dear to your heart, that you've been involved in for a long time and made some great inroads on. I appreciate the way that you and your staff have again involved my office in an effort to have a truly bipartisan hearing and assembled an excellent set of witnesses who can share their perspectives on this important issue.

I also want to thank today's witnesses for agreeing to appear and share their views on how to increase workplace opportunities for individuals with disabilities. Each of you brings unique personal experiences and professional expertise that will greatly benefit this committee as we proceed with the reauthorization of the relevant Federal legislation, such as the Work Force Investment Act, which includes the Vocational Rehabilitation Act, the Elementary and Secondary Education Act, and the Individuals with Disabilities Education Act.

Taken together, these three pieces of legislation serve as the foundation for the Federal Government's efforts to improve the educational and workplace prospects of individuals with disabilities. Although significant advances have been made as a result of these pieces of legislation, wonderful things are also taking place throughout the country based upon our fellow Americans' desire for inclusive environments in their local schools, communities, and workplaces.

As we heard in our last hearing on this issue, Walgreens and Booz Allen Hamilton, for example, are providing excellent work opportunities for individuals with disabilities. In Wyoming, our director of Workforce Services, Joan Evans, shared at the same hearing a truly exciting opportunity with Lowes in our State.

I've invited Deb Dagit, the chief disability officer at Merck Pharmaceuticals, to share her experiences about how that large corporation has expanded workplace opportunities for individuals with disabilities. As her testimony suggests, Merck has made conscious effort to create an inclusive environment where every employee is treated fairly and disabilities aren't an impediment to hiring and advancement.

With that said, I'm interested in hearing how scalable many of these practices are for smaller employers that might only have the capacity of a few employees and who are struggling to keep the lights on in their companies in this continuing economic slump. My wife and I are former small business owners. We operated Enzi Shoes for nearly 30 years. From my experience, what might work at a larger employer almost never worked at Enzi Shoes. So I caution against trying to make broad conclusions based upon individual experiences in this regard, especially in light of the ongoing economic struggles small businesses are facing.

I've talked with a number of the small businessmen and their biggest request is to have someplace that they can go where they can find out where the capabilities match up with their needs. They need kind of an employment agency. They're not big enough

to have the capability to go out and interview a lot of people and do any testing or anything like that. So I think that's one of the big needs.

But since May 2009, the so-called beginning of the recovery summer, the average unemployment rate has been 9.5 percent for the workforce overall, with the participation rate for individuals with disabilities dropping from 22.3 percent to 21.1 percent over the past year. Last month, the Federal Reserve lowered its economic outlook for the rest of 2011, and last week's dismal jobs report only confirmed a dark economic future.

These realities suggest that a full economic recovery for America and the pain for employers throughout the country is going to continue for a while longer. When asked this past weekend when the American people would feel the effects of economic recovery, Treasury Secretary Timothy Geithner said,

"I think it's going to be a long time still. This is a very tough economy and I think a lot of people—it's going to feel very hard, harder than anything they've experienced in their lifetimes and now for a long time to come."

As a result, Congress and this Administration would do well to find ways to reduce mandates, regulations, and burdensome rules. In addition, businesses, particularly small businesses, need better information on how to identify, recruit, retain, and advance qualified individuals with disabilities. Our local chambers, the U.S. Business Leadership Network, and the Department of Labor's Office of Disability Employment Policy, the ODEP, are already providing some of these resources.

The problem is that this information is not getting to our small businesses. In today's troubled economy, our small businesses are struggling just to keep the doors open. Small businesses sometimes lack the resources or the capacity to seek out information about hiring people with disabilities. I ask my colleagues to help us identify more effective ways of disseminating this information to small businesses across the country. I know, based on conversations I've had in Wyoming, small businesses are interested. They just don't know where to turn.

This hearing, along with many others that have been recently held by the committee on the middle class, lowering unemployment, and so on, have yet to yield legislation or strategy for accomplishing these goals. In short, I hope today's hearing provides tangible solutions for how we can finally get the American economy moving and lower the unemployment rate overall and particularly in the area of disabilities.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Enzi.

We'll now start with our first panel: the Honorable Kathleen Martinez, Assistant Secretary of Labor for Disability Employment Policy. Ms. Martinez was nominated by President Obama to be the third Assistant Secretary for Disability Employment Policy and was confirmed by the U.S. Senate on June 25, 2009.

Prior to that she had a very distinguished career. In 2002, she was appointed by President Bush as one of 15 members of the National Council on Disability. In 2005, Secretary of State Condoleezza Rice appointed her as one of eight public members of

the newly established State Department Advisory Committee on Disability and Foreign Policy. In 2007, she was appointed a member of the board of the U.S. Institute of Peace, a congressionally created agency dedicated to research and projects in conflict management.

As the head of the U.S. Department of Labor's ODEP, the Office of Disability Employment Policy, Ms. Martinez advises the Secretary of Labor and works with all DOL agencies to lead a comprehensive and coordinated national policy regarding employment of people with disabilities.

Ms. Martinez, welcome back to the committee again and your statement will be made a part of the record in its entirety. If you could sum up in 5, 6 or 7 minutes, we'd certainly appreciate it.

STATEMENT OF THE HON. KATHY MARTINEZ, ASSISTANT SECRETARY OF LABOR, OFFICE OF DISABILITY POLICY, U.S. DEPARTMENT OF LABOR, WASHINGTON, DC

Ms. MARTINEZ. OK, I'll do my best, Senator Harkin.

I'd like to just thank Chairman Harkin and Ranking Member Enzi and the distinguished members of the committee for this opportunity to testify and I appreciate your continued support of the Office of Disability Employment Policy, or ODEP. I'm honored to appear here.

I want to give a shout-out to my distinguished members of the panel that will follow me today, Governor Ridge, Deborah Dagit and Amelia Wallrich. It's an honor to share this time with you all.

As a person with a disability who managed to get off supplemental security income benefits, as a long-time advocate for disability rights, and as ODEP's Assistant Secretary, it's clear to me that the vast majority of the policies and practices that promote the employment of people with disabilities are just good business practices. ODEP's efforts help not only those of us with disabilities, but others, other folks with complex work needs, like working mothers, sandwich generation caregivers, and people who work two jobs to make ends meet.

It's important because each person that finds a job contributes to our tax base and helps strengthen the economy and our financial future.

Now, the Senators did mention the disappointing data, and I won't go into that. It is disappointing that folks with disabilities are still last hired, first fired, unfortunately, and we have suffered in this downturn of the economy. But closing this gap would mean millions of Americans currently disconnected from the economy would begin earning income, paying taxes, and reducing their benefits or their dependence on public benefits.

I want to talk a little bit about what ODEP is doing to help close this gap. As we know, older workers are projected to have the highest growth rate in the workforce for the first quarter of the 21st century. It's anticipated that the increase of those 55 years and older is 43 percent by 2018. Consequently, this fall, to deal with this issue—because we're getting a lot of requests from companies about how to accommodate older workers, so ODEP is implementing an employer pilot demonstration project focusing on workforce flexibility, and we're conducting research on using flexible

workplace strategies to retain older workers with disabilities who work in the healthcare sector and in the community colleges sector. This will also include introducing the concept of reasonable accommodations.

We're also working with the Department of Labor's Office of Workforce Compensation Programs to identify workforce flexibility strategies that Federal agencies can use to successfully return their injured employees to the workplace and provide technical assistance so that they can adopt and implement effective return-to-work strategies.

ODEP is working extensively with the private sector. We have a program called "Add Us In." Innovative small businesses, as you mentioned, Senator Enzi, are critical to our economic growth and our closing—we're working with them to help close the employment gap for folks with disabilities.

This includes many minority-owned and operated firms, the numbers of which have grown in recent years at approximately double the rate of all firms in the United States. Recognizing the opportunity that this growth provides, ODEP created a new initiative called "Add Us In," through which we are working across the country to increase the capacity of small businesses to include people with disabilities in their workforce.

We expect three more grantees this fall and, in addition to creating replicable models to ensure people with disabilities have access to a broader range of employment opportunities, we also are training and setting up the national and local networks of experts to better connect small employers with, as you requested, the talent pool of folks with disabilities.

Access to technology, as many people have said, is the great equalizer for those of us with disabilities. To harness the promise of the technological revolution, ODEP promotes universal design in information technology and the availability of assistive technology at work. ODEP is partnering with the Assistive Technology Industry Association to improve the accessibility of emerging technologies, such as Web 3.0 and 3D Internet technologies. We're also working with technology developers to make sure that the technology is accessible right out of the box.

This fall we'll develop and implement a comprehensive plan for accessible workplace technology with a focus on core competencies with regard to accessibility.

We want to talk about a variety of models that have worked to get folks into integrated and competitive employment. One is the concept of customized employment, which is kind of a framework of principles which basically matches people's talents to a job. An example is, in a large department store they hired a guy named Scott, who's a job seeker with a disability, after his personal representative negotiated a new way for the store to handle merchandise delivery. Originally, store clerks unloaded and repackaged new merchandise. Mina, who was Scott's representative, suggested that the department store hire Scott to perform this task instead. The employer agreed and for Scott performing a customized function, the clerks were freed up to spend more time serving customers. As a result, sales increased.

We've seen similar positive outcomes when this model has been used with disabled veterans, the homeless, and recipients of temporary assistance for needy families, TANF.

As you know, Senator Harkin, we are well under way with improving opportunities for folks with disabilities by strengthening our job training system. I'd like to thank you for your support. ODEP and the ETA, the Employment Training Administration, have implemented the disability employment initiative and more than \$21 million in grants, as you know, have been awarded to nine States, Alaska, Arkansas, Delaware, Illinois, Kansas, Maine, New Jersey, New York, and Virginia, last year. We expect an additional 6 to 10 States to receive funding this year.

The goal is to promote greater coordination and training services, to provide targeted technical assistance, to improve education and training outcomes for folks with disabilities who are unemployed, underemployed, and/or receiving benefits in our workforce system.

To date, all sites are in the process or have already become employment networks, meaning that they provide employment-related and supportive services to social security beneficiaries under the Ticket to Work program, which prior research suggests improves long-term employment outcomes. We are conducting extensive evaluations of the grantees, ETA and ODEP, through DOL's Civil Rights Center. They're conducting an independent review of the accessibility of one-stop centers throughout the system, and that means programmatic and physical access.

I want to just briefly say that we're looking at reframing the youth conversation with regard to employment. We've developed our guideposts, which is—let me just say—a widely used strategy to improve employment for folks with disabilities. You know that our 503 regulations, our NPRM, are being scheduled to be held in August.

I'd just like to say, like many other people with disabilities, I was supported by taxpayer benefits, and after being funneled to work in a lock factory and having my case closed, I stand before you today as a prime example of what can happen when people with disabilities are given the opportunity to work and to access productivity tools.

As a closing example, we have our wonderful example of Poppin Joe, who was very significantly disabled, was basically originally funneled into a sub-minimum wage job. But Joe developed a business plan. He sells popcorn with the help of ODEP's Start-Up USA grant. In addition to having a goal of 100,000 in popcorn sales by 2012, Joe now has several part-time employees, is a taxpayer, and rents his own home.

There are many more individuals like Joe and, while improving employment outcomes for people with disabilities is a complex undertaking, it holds great promise to improve the lives of everybody in this country.

Thank you for the opportunity to testify.

[The prepared statement of Ms. Martinez follows:]

PREPARED STATEMENT OF THE HON. KATHLEEN MARTINEZ

I. INTRODUCTION

Chairman Harkin and Ranking Member Enzi, distinguished members of this committee, thank you for the opportunity to testify today and discuss emerging labor market trends for individuals with disabilities, our efforts for addressing these trends, and the Office of Disability Employment Policy's (ODEP) priorities in the coming years. We appreciate your continued support of ODEP's work, and I am honored to appear before this committee.

Based on my experiences as a person with a disability who managed to get off Supplemental Security Income (SSI) benefits, as an advocate, and as ODEP's Assistant Secretary, it is clear to me that the vast majority of the policies and practices that promote the employment of people with disabilities, are just good business practices. Therefore, ODEP's efforts to promote these policies and practices help not only people with disabilities, but also others who have the potential to enter the workforce, if provided with appropriate supports and flexibilities. And, as you know, each person that finds a job contributes to our tax base and helps to strengthen the economy and our Nation's financial future.

II. THE NEED FOR FLEXIBLE WORKPLACES

Research shows us that people with disabilities have been disproportionately affected by the recent downturn in the economy. Data available from the Current Population Survey (CPS) indicate that between October 2008 and June 2011, the rate of job loss among workers with disabilities far exceeded that of workers without disabilities, with the proportion of employed U.S. workers identified as having disabilities declining by 9 percent. In addition, their labor force participation lags behind people without disabilities. The most recent data, released in July 2011 by the Department of Labor's Bureau of Labor Statistics (BLS), shows that only 32.8 percent of working age people (16-64) with disabilities are actually in the American workforce. In comparison, the participation rate for people reporting no disabilities is 77.2 percent. Closing this gap would mean millions of Americans who are currently disconnected from the economy would begin earning income, paying taxes, and reducing their dependence on public resources.

Our Nation as a whole is graying, and so is our workforce. Older workers are projected to have the highest growth rate in the U.S. workforce for the first quarter of the 21st century. As this population grows, the number of people in the workplace with disabilities is likely to increase too. The number of workers aged 55 and older is forecasted to increase 43 percent by 2018. In contrast, for those aged 16 to 24, a decrease of 4.1 percent is expected, and for those 25-54, a 1.5 percent increase. We also know that as people age they are more likely to experience chronic illness or the onset of disability; many of these highly skilled and experienced workers will want or need a more flexible work environment if they are to be retained.

A growing number of business leaders recognize that workforce flexibility provides them with a competitive edge. Because workforce flexibility benefits both workers and employers, ODEP launched two initiatives with workforce flexibility at the core. First, this fall, we will implement an employer pilot demonstration project that will focus on using flexible workplace strategies to retain older workers with disabilities who work in the health care sector and in community colleges.

Second, we will collaborate with DOL's Office of Workers' Compensation Programs to focus on identifying strategies that Federal agencies can use to return to work employees who sustained disabilities as a result of workplace injuries or illnesses. OWCP and ODEP plan to offer tailored technical assistance to Federal agencies regarding the adoption and implementation of successful return-to-work practices and related disability employment practices.

III. PRIVATE SECTOR PRACTICES AND INITIATIVES

Small Businesses

Our economy relies on the private sector to drive job creation and I know this committee is interested in what is working and what practices should be expanded. ODEP directs much of its energy towards helping private employers employ people with disabilities and we are happy to have the chance today to share what we have learned.

As you all know, innovative small businesses are a critical engine of U.S. economic growth. This includes many minority-owned and -operated firms, the numbers of which have grown in recent years at approximately double the rate of all firms in the U.S. economy. (Census Bureau's 2007 Survey of Business Owners)

This provides a real opportunity to improve employment outcomes for people with disabilities. ODEP therefore created the Add Us In Initiative, which focuses on increasing the capacity of small businesses to effectively include people with disabilities in their workforce.

We are working with grantees in different parts of the country to create replicable models that can be used by small businesses and their associations to reach out to ensure that youth and adults with disabilities have access to a broader range of employment opportunities. We expect to add three more grantees to this initiative this fall. We are also working to train and set up national and local networks of experts skilled in connecting small employers with the underutilized talent pool of people with disabilities.

Technology

In addition to our work with small businesses, we are also making progress helping private employers use technology to improve their workers' productivity. Access to technology is *the* great equalizer for people with disabilities who are looking for a job or trying to advance in their professions and in today's workplace. It's not optional; it's a necessity.

To harness the promise of the technological revolution, ODEP focuses on promoting universal design in information technology, and increasing the availability of assistive technology for use in the workplace to benefit workers with disabilities. To advance these twin goals we have funded a contract that enables ODEP and the Assistive Technology Industry Association's Accessibility Interoperability Alliance (ATIA/AIA) to work together to improve the accessibility of *emerging* technologies, such as Web 3.0 and 3D Internet technologies.

This fall we will take what we have learned and develop and implement a comprehensive plan to make workplace technology accessible. A primary area of focus will be the identification and validation of core competencies required to certify professionals involved in the field of accessibility. We will also conduct research into how Assistive Technology Act funding is being used to support employment. We will also develop technical assistance to enable States to use it more effectively.

Customized Employment

I know that a key priority for your committee is getting the best return on investments in the workforce. One way to achieve this is to find effective approaches that can be replicated and scaled by employers with different workforce needs. Within ODEP, we have found a way to do so through "Customized Employment."

We believe Customized Employment works because it is not a *program*, but rather a set of *universal* principles and strategies specifically designed to support both sides of the labor force: supply and demand. For the job candidate, the process considers the whole person—his/her skills, interests, abilities—as well as the conditions necessary for successful employment. For employers, customized employment allows a business to examine its specific workforce needs—both ongoing and intermittent—and fulfill those needs with a well-matched employee. For example, a large department store hired Scott, a job seeker with a disability, after his personal representative, Shaina, negotiated a new way for the store to handle merchandise delivery. Originally, store clerks unloaded and repackaged new merchandise. Shaina suggested that the department store hire Scott to perform this task instead. The employer agreed and Scott began working for the store. Scott's customized job freed up other clerks to spend more time serving customers. As a result, sales increased. This is not an unusual result. Customized employment has had similar positive outcomes when used with disabled veterans, the homeless, and recipients of Temporary Assistance for Needy Families (TANF).

IV. FEDERAL EFFORTS TO REDUCE BARRIERS TO EMPLOYMENT

In carrying out its mission, ODEP partners with other agencies and offices within the executive branch on strategies that improve employment outcomes for all, including individuals with disabilities. It is an honor to serve in an Administration that understands that universal design practices benefit job seekers *and* employers.

Improving the Workforce System

For example, thanks to the vision and leadership Chairman Harkin has provided, ODEP has been working extensively over the last year with the Employment and Training Administration (ETA) on the Disability Employment Initiative (DEI). This initiative provided more than \$21 million to nine States (Alaska, Arkansas, Delaware, Illinois, Kansas, Maine, New Jersey, New York and Virginia) last year, and this year we expect to add another 6 to 10 more States as grantees under the program. The goal of this Initiative is to improve education, training, and employment

opportunities and outcomes for youth and adults with disabilities who are unemployed, underemployed, and/or receiving Social Security disability benefits. To meet this goal, DOL is providing technical assistance to grantees and to the workforce system to expand the capacity to serve those with disabilities. In addition to coordinating with a broad range of State agency partners as needed to create systems change, the grantees must connect with the Social Security System. To date, all sites are in the process, or have already become, employment networks—meaning that they can provide employment-related and supportive services to Social Security beneficiaries under the Ticket-to-Work program—which prior research suggests may improve long-term employment outcomes.

ETA and ODEP are also committed to evaluating grantees to make sure taxpayers are well served by their investments and so that other stakeholders can learn from what works. In addition, through a combination of on-site evaluations and an on-line survey, ETA and ODEP, with the assistance of DOL's Civil Rights Center, are conducting an independent review of One-Stop Career Centers throughout the system to assess the extent to which they are accessible to people with disabilities.

Improving Transition Outcomes by Reframing the Youth Conversation

A simple and ground-breaking concept—that youth with disabilities are youth first—has reframed the conversation and is the hallmark of ODEP's youth transition efforts. The *Guideposts for Success* framework, the central point from which ODEP's youth work is based, reflects key educational and career development interventions that make a positive difference in the lives of all youth, including youth with disabilities. The *Guideposts* have been widely used for strategic planning and policy development across Federal, State and local levels, and are also woven into ODEP's ongoing work. Moreover, the contents of the *Guideposts* have been incorporated into the proposed Rehabilitation Act reauthorization. *Guideposts* for youth from specific populations have also been developed to meet the needs of youth with learning disabilities, with mental health needs, and those in foster care.

The success of ODEP's youth policy work hinges on its ability to frame challenges in a positive light and in the context of broader youth policy applicable to all youth. For example, many employers assert that today's youth lack the soft skills needed in the workplace. Consequently, this past year we developed a tool to help all youth acquire the soft skills employers demand. We called it "Skills to Pay the Bills" and tested it with youth, including those with disabilities, throughout the country. The feedback was overwhelmingly positive. The youth and the instructors who delivered the training liked the interactive approach used in this classroom-based tool. This year, we will expand our outreach to youth by developing games and applications as a way to get this information regarding soft skills to an even broader group of youth.

In order to serve youth effectively, including those with disabilities, research tells us that youth service professionals need to have certain knowledge, skills and abilities. Using a universal design approach, we developed eight training modules that are being used by workforce professionals across the country, thereby improving service delivery to all youth.

Last month, ETA and ODEP issued guidance to the public workforce system on, "Increasing Enrollment and Improving Services to Youth with Disabilities." The guidance provides information and resources on promising practices and successful strategies that promote the enrollment, education, training, and employment outcomes of youth with disabilities. The resources and successful strategies included in this guidance can further assist the public workforce system to expand capacity and adopt practices for effectively serving this population. The ultimate goal is to better assist youth with disabilities and enable them to become economically self-sufficient through training, educational opportunities, and jobs with career pathways. The Department continues to provide technical assistance to State and local workforce systems to provide better outcomes for youth with disabilities.

Making the Federal Government a Model Employer

ODEP is also focused on making the Federal Government a model employer of people with disabilities. The President demonstrated his personal commitment to this goal when he signed Executive Order 13548 last year. The Executive order requires the hiring of an additional 100,000 people with disabilities within the Federal Government over the next 5 years. It calls on all executive departments and agencies to create goals and action plans for increasing the numbers of people with disabilities hired and to improve retention and return to work of Federal employees with disabilities. The Order also requires Federal agencies to work together to develop and implement action plans, which include performance targets and numerical

goals, to improve their hiring of people with disabilities. A senior-level official must also be designated to ensure accountability and to report progress on their plans to the President, the Office of Personnel Management (OPM), the Office of Management and Budget (OMB), and the public.

We have been working closely with OPM, OMB, and the Equal Employment Opportunity Commission in implementing the Executive order. Our work has included assisting several Federal agencies in the development of their plans, and helping OPM design model recruitment and hiring strategies and training programs for human resources professionals across the government. We have also developed a network of Federal practitioners and a resource tool kit to assist them and their agencies in implementing the Executive order.

In addition, we can improve the hiring of people with disabilities by helping Federal contractors see the value of accommodating a diverse workforce. Last year, ODEP worked closely with DOL's Office of Federal Contract Compliance Programs (OFCCP) to issue an Advance Notice of Proposed Rulemaking (ANPRM) seeking input from the public on ways to strengthen its regulations requiring Federal contractors to take affirmative steps to employ and advance in employment qualified individuals with disabilities. In the near future, a Notice of Proposed Rulemaking (NPRM) will be issued seeking additional comments from the public, and the submission of substantive comments once the NPRM is issued. The potential impact of revising the section 503 regulations could be significant given that nearly one in four American workers are employed by a company that is either a Federal contractor or subcontractor.

V. CONCLUSION

Like many other people with disabilities, I was on taxpayer supported benefits, after having being funneled to work in a lock factory and having my case closed by a staid bureaucracy. I stand before you today, however, as a prime example of what can happen when people with disabilities are given the opportunity to work *and* access to productivity tools.

In closing, I wanted to give you another example of how ODEP's programs can change the lives of individuals and contribute to our Nation's financial future. I want to tell you about Joe, the owner of Poppin' Joe's Kettle Korn, who has autism and Down syndrome and uses an augmentative speech device to communicate. Previously considered unemployable, Joe developed a business plan with his parents and ODEP's Start-Up USA grant. In addition to having a goal of \$100,000 in popcorn sales by 2012, Joe now has several part-time employees. He is now a taxpayer and rents his own home.

There are many more individuals like Joe. Improving employment outcomes for people with disabilities is a significant and complex undertaking, but one that holds great potential to improve the lives of many and strengthen our economy.

Thank you again for this opportunity to testify and I would be happy to answer any questions you may have.

The CHAIRMAN. Thank you, Madam Secretary, for your statement. As I said, your full statement will be made a part of the record in its entirety.

We'll just begin a quick round. I know Governor Ridge has to be out of here, too, soon and we want to hear from him.

It seems, Madam Secretary, that one of the key things for increasing the rate of employment of people with disabilities is, No. 1, outreach. Businesses have to do a better job of outreach. There needs to be a better pairing of people and their abilities to the job structure itself.

But also, many people with disabilities are able to do work, have a great job, if they have certain support systems. I have often talked about my nephew, who's quadriplegic and he has a nurse comes in, gets him up in the morning, takes care of all of his needs. He then gets in his van and drives himself to work, comes home at night, lives by himself, independent living, by the way. And then he has another nurse comes in and takes care of him. If it weren't for that, he couldn't be able to work.

Other people need some minor help during the day on their job site.

Can you address that, about how are you looking at it from ODEP's standpoint and what we need to do to help employers understand that; and what can we do to make sure that people understand that for a minimal amount of money that might require us to put in for support services, a person can work and become a taxpayer? And what is ODEP doing in that regard, in terms of supportive services?

Ms. MARTINEZ. Well, first of all, I think that's a great question. I will tell you that we have an entire kind of team dedicated to employment supports at ODEP. We have, as I discussed, our grants in the area of technology. We're working with the Department of Transportation to make sure that transportation is accessible, so that folks can get to work.

We have worked with the Department of Health and Human Services on their community living initiative, which is promoting folks to live in their homes and get attendant care services to be able to do exactly what your nephew does, get services to be able to work and pay taxes.

I think at this point ODEP is focusing on technology and transportation sort of as the main employment supports, and we're working again with HHS on the community living initiative.

The CHAIRMAN. Last, I just wanted to ask—you mentioned about the grants that were going out through the Employment Training Administration on the disability employment initiative. You mentioned the States—I think the money went out last year, if I'm not mistaken.

Ms. MARTINEZ. It did.

The CHAIRMAN. Is your office tracking that and what that money is being used for? How soon could we get some feedback to this committee about how that money has been used and any results of that?

Ms. MARTINEZ. According to a 2010 Mathematica study, the one-stop system is being used more and more by a larger share of SSA beneficiaries interested in employment. Therefore, it's really important that this system be accessible, both physically and programmatically, and in terms of communication access. So the disability initiative is intended to eliminate silos and hopefully result in improved coordination.

For example, Arkansas is working very closely with their youth, and Delaware—they're helping, I guess, one-stops to adopt a universal design approach, which really helps all job seekers to access services more easily, including folks who don't even have disabilities or won't identify as having disabilities.

The CHAIRMAN. I ask that you keep this committee advised, and as soon as you have some data back from the States, those nine States, that you would give us a report on that.

Ms. MARTINEZ. You bet. The other thing is that they're all part of the Ticket to Work program. They're all employment networks.

The CHAIRMAN. Right.

Ms. MARTINEZ. So they're working closely with the social security system as well.

The CHAIRMAN. All right. Thank you very much, Madam Secretary.

Ms. MARTINEZ. Thank you.

The CHAIRMAN. Senator Enzi.

Senator ENZI. Thank you, Mr. Chairman.

Last year the President signed an executive order to increase the Federal employment of individuals with disabilities, which was intended to improve the hiring practices of the Federal Government with respect to individuals with disabilities. How have those practices improved over the past year?

Ms. MARTINEZ. I think very soon OPM will be formally signing onto the various plans that have been developed by each agency. I know that each agency is required to have a very senior person be responsible and be accountable to the President. I know that, from the Department of Labor standpoint, we have worked extensively with the Office of Workers' Compensation Programs to develop our strategies for keeping people at work. As you know, it's very expensive for the government to pay disability benefits sometimes, and a lot of the folks who go out on disability benefits can actually work and can stay in the job if they knew about, what some people call, accommodations, and I like to call productivity tools, because we all need them; it just happens to be called accommodations for people with disabilities; and also the concept of a flexible work environment.

So really there's two prongs. OPM is trying to address the myth that there aren't qualified people with disabilities out there, by contracting with a consulting company who provides the Federal Government qualified Schedule A-eligible people every month. The list is available to every agency in the government.

In addition to that, the President will be monitoring what agencies do. Agencies have to set goals, and then on top of that working to retain Federal workers when they become injured, are some of the things that are happening with regard to that executive order.

Senator ENZI. Thank you.

Most of my other questions deal with some of the small business things and they're fairly technical in nature. So if it's OK I'd just submit those in writing.

Ms. MARTINEZ. OK.

Senator ENZI. Thank you.

Ms. MARTINEZ. Thank you, sir.

The CHAIRMAN. Thank you, Senator Enzi.

Thank you, Madam Secretary, for being here again. Thank you for your testimony.

Ms. MARTINEZ. Thank you very much.

The CHAIRMAN. Thank you for your leadership on this issue. Like I said, my staff will be in touch with you about making sure we get some reports back from those States and how they're utilizing that money.

Ms. MARTINEZ. And we're happy to provide them.

The CHAIRMAN. Thank you very much, Madam Secretary.

We'll excuse you and now we'll call up our second panel. We'll call up Governor Ridge, Ms. Dagit, and Ms. Wallrich. Our first witness will be from the Commonwealth of Pennsylvania and I ask my

colleague, Senator Casey, who is here on our committee, to please make an introduction of our distinguished guest.

STATEMENT OF SENATOR CASEY

Senator CASEY. Mr. Chairman, thank you very much.

I have the great honor and privilege to be able to introduce a fellow Pennsylvanian to this committee, but certainly no stranger to the U.S. Congress and indeed the U.S. Senate.

Governor, welcome.

Mr. RIDGE. Senator, it's a great pleasure to be here with you.

Senator CASEY. Good to see you again. I didn't have a chance to greet you personally, but we're grateful you're here and grateful you're part of this hearing today.

Tom Ridge is a son of Erie, PA. For those who don't know our geography, I live in northeastern Pennsylvania, in one corner of the State, and Governor Ridge hails from the northwestern corner of our State.

His life has been a life of service, service to our Commonwealth of Pennsylvania, service to our country, whether as a soldier, as a member of the U.S. House of Representatives for 12 years between 1982 and 1994, service then as Governor of the Commonwealth from 1994 through the time he was named Secretary—the first Secretary of Homeland Security in the aftermath of the attacks of 9/11. So his life is one of service.

And also he's been—in those years, in all the positions he held in government, positions of service, he's been an advocate. And he comes here today with not just that experience behind him but also that passion for advocacy and the good results that come from that.

I've known him a long time. I know him to be a person of great character and integrity. And there are moments in the life of a public official where his or her constituents focus, and I think in a very intensive way, on that person's leadership and their commitment to public service. And one of those moments, I think, for Governor Ridge came at a very tragic time for the country, the day we were attacked. And one of the attacks, of course, was in Pennsylvania—Shanksville, PA. And at that moment, he had to lead our State and be part of the leadership of the country.

Governor, we remember that moment very poignantly, when you were expressing both the frustration and anger of our citizens, but also the resolve that came in the aftermath of that attack. So we're grateful for that kind of leadership, and we're certainly grateful you're here, back before the U.S. Senate. And I know that we'll benefit from your testimony and from your continuing leadership.

Thank you very much.

Mr. RIDGE. Thank you.

The CHAIRMAN. Thank you very much, Senator Casey. And, again, one thing I would just add to that is that I know of Governor Ridge's long-time work in the whole area of disability policy and employment of people with disabilities. I would like to add that, too.

Mr. RIDGE. Thank you, sir.

The CHAIRMAN. Governor—and I say to my other panelists the Governor has to leave here shortly, so I'm going to recognize him for his statement and for any questions or interchange that we

want. I know he has to be out of here before 11 o'clock. So if you don't mind, I'll have the Governor testify first, and then we'll move on to the other two members of our panel.

So, Governor, again, welcome to the committee. Your statement, which I read last night, which is very profound, a very good statement, will be made a part of the record in its entirety. And please proceed as you so desire.

**STATEMENT OF GOVERNOR TOM RIDGE, CHAIRMAN,
NATIONAL ORGANIZATION ON DISABILITY, WASHINGTON DC**

Mr. RIDGE. Well, I thank you very much, Chairman Harkin. I would be remiss if I didn't recognize your life-long commitment to the issue.

To Ranking Member Enzi and to my friend and colleague, Senator Casey, a Republican from one end of the State in the corner, a Democrat from the other end of the State in the corner. We both survived the statewide elections, which means that Pennsylvanians are pretty independent thinking. And I appreciate that very kind and gracious—very gracious introduction, and it's a great pleasure to appear before the committee. And I thank my colleagues here on the panel for indulging a schedule of mine and for allowing me to go first.

I want to thank you for your time and attention you are giving to the vital issue of disability employment in America. For a community that so frequently struggles to have its voice heard, these hearings are a very important opportunity, and I'm honored to share my perspective and my experience.

To shed some light on these issues, I would like to share some of the work being done by the National Organization on Disability, NOD, whose board I am very privileged to chair. I am honored to have my leader, my boss, the president of the National Organization on Disability, Carol Glaser, here with me, a passionate, committed, effective leader who also deals with the challenges of a disability in her home every single day. And she's also accompanied by Rick Scarp, a vice president of the organization, who oversees our Wounded Warrior Careers Program.

I also would like to briefly discuss my experience as Secretary of the Department of Homeland Security and the initiative we took to encourage employment of people with disabilities within the department.

Over the past three decades, NOD, whose Harris surveys have been an authoritative source of data on the status of people with disabilities, has addressed a range of issues. Most recently, we have focused our efforts on the staggering and stubbornly high rate of unemployment among people with disabilities, a rate sadly that's been virtually unchanged since even the years before the ADA.

NOD's employment agenda begins with privately funded demonstration projects that test innovative employment practices and service models. Of NOD's many funders, we are particularly grateful to the Kessler Foundation, a leader in devoting philanthropic dollars to the needs of Americans with disabilities. With the knowledge gleaned from our work on the ground and the evidence gathered through project evaluations, we seek really to scale up some of these small but effective demonstrations in part by addressing

bodies and organizations such as a congressional committee who are in a position to set policies and allocate resources.

One of these projects is our Wounded Warriors Careers, which has proven to be a highly effective service model for veterans with severe disabilities. Over half a million veterans have returned home with injuries from the conflicts in Iraq and Afghanistan, many of them with disabling conditions that will impact the rest of their lives. To better address the career needs of these veterans, in early 2007, the Army entered into a Memorandum of Understanding with NOD, under which we are providing career counseling and employment placement support to veterans in North Carolina, Texas, and Colorado.

I might add, Mr. Chairman, we were happy to have the Memo of Understanding, but, unfortunately, at the time and to the present day, there wasn't a check that went with it. We've funded this demonstration program through a consortium of national and local funders who contributed for these three demonstration projects a total of \$5 million, with leadership support from Ford, Robert Wood Johnson, Mott, Kellogg, and Bob Woodruff Foundations.

If I might add, sir, as a veteran, anybody that's been in combat knows that but for the grace of God goes I. And one of these days, hopefully, we'll continue—we'll see that caring for the severely disabled veterans is a continuing cost of defense and find ways to allocate even additional resources, particularly to support the programs necessary to support those who were severely injured.

It's a great credit to our leaders in government when they look for ways to partner with those outside of government to serve transitioning veterans with disabilities. However, I think we continue to send an inconsistent message to our veterans and their families. Of the 268 veterans that NOD currently serves, 40 percent were given a disability rating of 100 percent, which in the terminology of the DVA, Department of Veteran Affairs, means a person we do not expect will ever work.

Beyond its obvious impact on the veteran's earning potential, telling a veteran that he or she cannot work has implications, much broader implications than people can realize to their recovery, to their health, and their long-term well-being. NOD's program evaluation has shown that veterans who are pursuing or who have attained education and careers perceive their own health as better, have a more positive view of their future, regardless of the severity of their disability.

After about 2 years of operations, roughly two-thirds of these veterans, program participants, including the 40 percent who were labeled as unable to work, are engaged in education, training, or work.

A detailed account of this program outcome is included in my written testimony, as you referred to, Senator Harkin.

It's particularly notable that this support to our veterans comes with a considerable cost savings. In fact, I think our work is far less expensive than doing nothing at all. The dignity and financial self-sufficiency that comes with the pursuit of a career is a powerful deterrent to homelessness, substance abuse, domestic abuse,

unemployment, and crime, all of which bring considerable societal costs.

Strong congressional support for the Wounded Warrior Careers Program has led to legislation in the House Defense Authorization Act that would apply key elements of NOD's program on a larger scale. Similar legislation is expected in the Senate. But since our role in the program is not assured, NOD remains committed to continuing to produce best practices that can be used and adopted by relevant State, local, and Federal organizations. We obviously welcome support from Congress to assure NOD's best practices are implemented by the Department of Defense.

There are a couple of important lessons we've learned from this experience, and I'd like to share them briefly with the committee. First, severely disabled veterans require ongoing and flexible support, sometimes over the course of multiple years. We have veterans working with veterans, and it's a long-term commitment, 2 or 3 years—interaction almost on a monthly basis and sometimes weekly as we try to help them and their families, by the way, develop a career path.

We understand that there are evolving circumstances, and we need to craft these relationships around the specific needs of the veteran and their family. And so the first point is the return to civilian life and career. It's not an event, ladies and gentleman. It's a process, and we need to understand that.

Second principle—services and support must address the unique demands of traumatic brain injury and post-traumatic stress. These are hidden disabilities, but they pervade every aspect of many veterans' lives and if not addressed can undermine every attempt at success.

And, third, I think we have to provide support to the schools and businesses that train, educate, and hire veterans. Many want to help our returning veterans but need support to do so effectively.

So recognizing the importance of this last recommendation, I'd like to talk briefly about the work of NOD's Bridges to Business Program, which helps employers effectively recruit, hire, train, and retain job seekers, veterans or nonveterans, with disabilities, and also helps agencies that provide job training and placement services to job seekers with disabilities to work more effectively with businesses. Our work with these companies has yielded a number of findings that we believe will be instructive to this committee as you continue very important work on behalf of veterans and all Americans with disabilities.

These findings are included, again, in my detailed testimony. But there is one other finding I'd like to emphasize publicly before you now.

Members of this committee, your colleagues in Congress, the executive branch, and the Federal Government, we encourage you to use your visibility and your advocacy to inspire businesses to commit themselves to employing Americans with disabilities. That doesn't necessarily mean regulation, which I think sometimes intimidates and frustrates businesses. It means genuine leadership that begins with a clear and forceful call to action and continues with the Federal Government fulfilling its goal of becoming itself

a model employer of people with disabilities at all levels of responsibility and in all types of jobs.

And on this point, I would offer some personal insights from my time as Secretary of the Department of Homeland Security. Once my team understood that it was a priority for the Secretary, and once I assigned someone to design a plan to open up opportunities within the department—and we started at headquarters level—we began to see change. We didn't set a quota, but we did make it a leadership priority so that everybody knew that it was a priority for the Secretary and, therefore, a priority of the President.

The first thing we did was send out a memo to all the undersecretaries or the bureau chiefs. Second, we had even the undersecretaries and assistant secretaries go to a 90-minute training program identifying, No. 1, it's a priority for the Secretary; No. 2, are the resources out there; and No. 3, beginning the acculturation process is a little discomfort. Unfortunately and improperly, sometimes people without disabilities working with people with disabilities—well, they shouldn't be uncomfortable because the people with disabilities aren't uncomfortable. They're just happy to work and want to interact with folks. So we had that training session.

The third thing we did was make our department aware of a program at DOD called the Computer Electronics Accommodation Program. DOD will buy, install, and train assistive technology to help people with disabilities in our department. So within about 18 months, we went from 1 percent at headquarters to 5 percent of people with disabilities. I can't report what occurred thereafter. But it's going to take executive leadership, congressional leadership, and everybody needs to understand before we can have businesses to be a model, we need the Federal Government to be a model as well.

In closing, I'm aware that one of your ultimate goals is to address the disability benefit structure in America, a system that currently acts as an overwhelming disincentive to work for most Americans with disabilities. Currently, an individual who relies on Medicaid and Medicare for health coverage, which for most Americans with disabilities, even more than most of us, is of huge importance, will be justifiably hesitant to risk these benefits in search of what must often begin as entry-level employment.

Part of the problem, I believe, is rooted in the fact that these well-intentioned systems designed decades ago were created with little expectation that Americans with disabilities would ever be anything more than recipients of care, that they could not, in fact, become contributors to our economy, our tax base, and our communities. We live in a society where your sense of self-worth is really predicated upon what you do for yourself, not what other people do for you. And that is embedded in the heart and soul of every person with a disability.

Sure, it's great to have the check, but the Harris survey said that two-thirds of the people we surveyed of all those unemployed—they want to work. They want to work. So it's not a lack of talent, drive, or ambition in Americans with disabilities, but rather this tyranny of low expectations that has led to what I consider to be an opportunity gap between people with and without disabilities in America.

This committee began its work with a clear message that Americans with disabilities can and should be contributors. I urge you to see that message through to ensure that we—to see it repeated in every policy, every agency, and every service we deliver to people with disabilities.

On behalf of the National Organization on Disability, I say to my colleagues in public service we thank you for your time, your interest, your commitment, and your passion to this issue. And I'd say again that I, personally, and the team at NOD—we volunteer. If you need us, we'd love to help.

You're, and again I reiterate, Senator Harkin—well, well known for years and years. You're a strong advocate, and we'd like to be part of your advocacy team.

Thank you very much.

And thank you again, Senator Casey, for such a gracious introduction.

[The prepared statement of Mr. Ridge follows:]

PREPARED STATEMENT OF GOVERNOR TOM RIDGE

Thank you Chairman Harkin, Ranking Member Enzi and distinguished members of this committee for inviting me to speak with you today.

Thank you for the time and attention you are giving to the vital issue of disability employment in America. For a community that so frequently struggles to have its voice heard, these hearings are an important opportunity. I am honored to share my perspective and experience.

The issues affecting the disability community are very close to my heart. When I was governor of Pennsylvania, I worked with a great group of people to create a statewide agenda in support of people with disabilities.

Ensuring that people with disabilities have the opportunity to contribute to society is a noble task. Employment brings dignity and purpose in life. Employment also brings personal independence and freedom. That's why it's so crucial that the staggeringly high unemployment rates among people with disabilities come down.

Because not only are unemployed disabled Americans losing out on the benefits of employment, but our society then loses out on the potential contributions of these great Americans. Their resourcefulness in tackling issues that others do not encounter and their persistence in overcoming obstacles all lead to innovative approaches and a drive that is welcome in any job, in any field.

To shed some light on these issues, I would like to share some of the work being done by the National Organization on Disability (NOD), and for whom I serve as chairman of the board of directors. I would also like to discuss my own experience as the Secretary of the Department of Homeland Security and the work we did to encourage the employment of people with disabilities within that department.

NATIONAL ORGANIZATION ON DISABILITY

NOD was founded in 1981 with the Mission of expanding the participation and contribution of America's 54 million men, women, and children with disabilities in all aspects of life.

In recognition of what we believe to be the most pressing need for Americans with disabilities, NOD's board of directors recently adopted a Strategic Plan focused on improving employment prospects for America's 33 million working-aged Americans with disabilities.

And the need is pressing. Our most recent Kessler/NOD Survey of Americans with Disabilities conducted by Harris Interactive reveals that only 2 in 10 working age Americans with disabilities are employed, versus 6 in 10 of those without. These numbers have remained virtually unchanged for more than 20 years, regardless of the strength or weakness of the overall economy.

To realize our Mission, NOD has positioned itself as an engine for new ideas and proven practices in our field. We begin with small, typically privately funded demonstration projects. Of NOD's many funders, we are particularly grateful to the Kessler Foundation—a leader in devoting philanthropic dollars to the needs of Americans with disabilities. These demonstrations are built as a response to the needs of individuals and businesses, and our use of private funding allows for a de-

gree of flexibility and risk-taking that is not often possible with publicly funded initiatives.

To ensure that these projects accomplish their goals, each of them includes a built-in evaluation process, which allows us to continuously improve our work, and ensure that we are responding intelligently to new findings.

With the knowledge gleaned from work on the ground, and the evidence gathered through project evaluations, we seek to “scale up” our small demonstrations. We accomplish this goal either through direct pursuit of sustainable public dollars, or by “spreading the word” about our work, and influencing policy and practice in an attempt to see the best of our work replicated in larger-scale agencies and service providers.

One of these projects is the Wounded Warrior Careers initiative, which has proven to be a vital source of support to nearly 300 Army Veterans with significant disabilities, and an opportunity for us to learn what can and should be done to support all of our Nation’s returning heroes.

THE CURRENT STATE OF VETERANS SERVICES

The most recent data from the Bureau of Labor Statistics shows that 530,000 veterans have returned home with injuries from the conflicts in Iraq and Afghanistan. Many of these injuries have led to disabling conditions that will impact the rest of their lives. Over 114,000 have garnered disability ratings of 60 percent or higher. In previous wars, some of these service members would not have survived. Today, they return home with disabilities ranging from burns and amputations to post-traumatic stress disorder (PTSD) and traumatic brain injury (TBI).

The imperative to expand support to transitioning veterans with disabilities and their families has multiple components: the moral obligation to assist this population; the need to sustain the all-volunteer military; and, the anticipated impact of additional costs that will be borne by local, State, and Federal agencies to assist “at-risk” veteran families if they do not achieve self-sufficiency.

In response to the transition needs of the most severely wounded warriors, the military has developed important programs to provide Recovery Care Coordinators or Advocates to assist these service members. These programs have improved the transition activities of veterans with disabilities, even as the programs continue to evolve their missions and compete for limited resources. However, the capacities of the Nation are not yet fully developed nor engaged to support the full range of our Wounded Warrior’s needs. NOD is proud to be involved in these efforts.

To provide a sense of this rapidly expanding work, take the population of Army Wounded Warriors, which has more than quadrupled since 2006, from about 2,000 to over 8,500 today. When combined with the other military services, including Special Operations Command, there are some 14,000 to 16,000 veterans with disabilities attempting to transition to civilian careers, achieve self-sufficiency, and forge lives of dignity in the wake of their military service. Yet, the most seriously wounded veterans leave the military today with career assistance needs that are still not fully addressed by existing education, employment, and vocational rehabilitation programs.

The veterans we serve face many of the same obstacles to employment that all persons with disabilities face: employer perceptions, low expectations, and inadequate programs to facilitate their movement into the workforce.

It is a great credit to the Army that it sought out allies to explore new approaches to serving transitioning veterans. We further laud this Administration for its clear commitment to our Nation’s veterans, and this committee for its interest in continually improving the supports and services we provide to our returning heroes.

However, we continue to send an inconsistent message to our veterans and to their families. Of the 268 Veterans that NOD currently serves, 40 percent were given a disability rating of 100 percent which, in the terminology of the Department of Veterans Affairs, means a person who is not expected to ever work. Of that group, $\frac{1}{3}$ are currently pursuing post-secondary education—graduate level education, in some cases—and another $\frac{1}{3}$ have joined the workforce.

Beyond its obvious impact on the veteran’s earning potential, telling a veteran that he or she “cannot work” has implications to their recovery, their health and their long-term well-being. As our evaluation has shown, the veterans NOD serves, who are pursuing or have attained education and careers, perceive their own health as better, and they have a more positive view of the future, regardless of the severity of their disability. When we tell a returning veteran that we do not believe they will ever work again, we are not only robbing them of their potential income, we are robbing them of their hope, their health and their well-being.

The most seriously disabled veterans urgently need intensive career planning and mentorship so they can move into training, education, or work, and achieve self-sufficiency as contributing members of their communities. And the impact of their ability or failure to do so extends beyond the veteran population—in the case of the Army, over 70 percent of these wounded warriors are married, 65 percent have children under 18. Moreover, these veterans have little familiarity with civilian labor markets and employment. Often they have never held a civilian job, prepared a resumé, or been interviewed for civilian employment. As a result, these veteran families are an “at-risk” population that requires assistance in navigating paths to civilian careers.

THE NOD WOUNDED WARRIOR CAREERS DEMONSTRATION PROGRAM

In order to better address the needs of veterans with severe disabilities, in early 2007 the Army entered into a Memorandum of Understanding (MOU) with NOD. Under this MOU, NOD is providing career counseling and employment placement support to veterans in North Carolina, Texas, and Colorado through a 3-year demonstration program funded by a consortium of national and local funders who contributed a total of \$5 million, with leadership support from the Ford, Robert Wood Johnson, Mott, Kellogg and Bob Woodruff Foundations. In North Carolina, we are grateful to the Cannon, Z Smith Reynolds, and Duke Foundations. In Texas, we appreciate the support from the Dallas and Meadows Foundations. And in Colorado, the El Pomar Foundation has been a significant supporter. After about 2 years of operations, over 68 percent of the 268 NOD Careers program participants have entered into education, training, or work.

This pilot project was established at three sites to demonstrate innovative transition support for veterans with disabilities that can accelerate and ease their reintegration and return to self-sufficiency. The program includes an analytical and best practices evaluation that is designed to identify enduring changes that are needed in the services and support to transitioning veterans.

The service model, which NOD and the Army developed after focus groups with more than 200 veterans and family members, is intensive, high touch, and characterized by long-term career counseling and mentoring to veterans with disabilities and their family members. NOD’s Career Specialists, with expertise in workforce development (and many with a background of military service), work directly with veterans and family members. We connect the veterans we serve to a wide range of service providers, therapists, employers, schools, government agencies and others offering career support. We further work closely with the Army’s Advocates to ensure that our services are well-coordinated, and offer the widest possible range of supports to the veterans we serve.

To the best of our knowledge, we remain the only program of this kind to offer comprehensive, wrap-around services that respond to the specific needs of each veteran—and each family—that we work with. Among our most important findings is that we should not—we *must* not—be alone in this effort.

Strong congressional support for the Wounded Warrior Careers program has led to legislation in the House Defense Authorization Act that would apply key elements of the program model on a larger scale. Similar legislation is expected in the Senate Defense Authorization Act. However, since NOD’s role in that program is not assured, NOD is committed to continuing to produce best practices and lessons learned that can serve as innovative concepts for adoption by relevant Federal, State, and local organizations. We welcome support from Congress that ensures NOD’s best practices are implemented by the Department of Defense, as intended by Congress.

WOUNDED WARRIOR CAREERS PROGRAM OUTCOMES

We believe the outcomes of the Careers project are a clear demonstration of its value. Midway through the demonstration, 68 percent of our program participants are in education, training or jobs—a figure that is twice the rate of wounded veterans who do not receive our services. Other significant findings include that about 70 percent of those employed have stayed in their job longer than 12 months and veterans in the program report a high level of satisfaction with the program and its services. (Refer to Attachment I for a more complete listing of early quantitative and qualitative outcomes.)

Further, this work comes with a considerable cost savings; in fact, our work is far less expensive than doing nothing at all. When weighed against the cost of unemployment and lost productivity, the \$3,000 to \$4,000 (on average) that we are spending per veteran per year in this program is a cost-effective investment for the American taxpayer. The dignity and financial self-sufficiency that comes with pur-

suit of a career is a powerful deterrent to homelessness, substance abuse, domestic abuse, unemployment, and crime, all of which bring considerable societal costs.

VETERAN-RELATED RECCOMENDATIONS

Based on these outcomes, and the work we have conducted in the field, I would like to offer the following recommendations to this committee as it considers how best to serve our Nation's wounded veterans:

1. Veterans require ongoing and flexible support—sometimes over the course of multiple years—support crafted to the specific needs of the veteran and their family, and which meets their evolving circumstances. We have learned that for all veterans, but particularly those with significant injuries, the return to civilian life and career is not an event, but a process. Our services must support that process over time.

2. We should foster a focus on career-related employment that begins as early as possible in the veteran's process of return. In VA hospitals and rehabilitation centers, we often see posters that encourage veterans with disabilities to aspire to play sports again—we ought to also let them know that they can and should aspire to the careers of their choosing. Pursuant to this, no matter how we classify the services an individual might require, we must *never* send them the message that they cannot work.

3. Veterans should have access to career planning with clear steps toward success that are driven by the goals, interests and ambitions of the veteran. Veterans rarely have access to a long-term support in this regard.

4. Service models should include the veteran's family. Families often play a key role in the veteran's transition and can be a source of inspiration and support, if we in turn provide them with the support they need through the course of the veteran's process of return.

5. We must have a provision for flexible emergency funds that assist the veteran in financial crisis, and can meet discreet but crucial support needs in the course of the veteran's career planning process.

6. Services and supports must address the unique demands of TBI and PTSD; these often hidden disabilities pervade every aspect of many veterans' lives, and, if not addressed, can undermine their every attempt at success. Support to veterans with TBI and PTSD means ensuring a robust network of mental health services, available throughout the country. Currently, our Nation's infrastructure for mental health services for veterans and civilians is inconsistent from State to State, and entirely absent in many areas.

7. We must provide ongoing support for veterans in education and employment. Veterans consistently report that having someone to "check in" can be both helpful and reassuring as they acclimate to educational and career placements.

8. We need a better and more consistent system for translating military experience to civilian qualifications and credentials, that captures all of the talents, skills and aptitudes that are developed in one of the most demanding jobs in the marketplace.

9. We must provide support to the schools and businesses that train, educate and hire veterans. Businesses want to hire veterans; providing hands-on training and support to both the veterans, and schools and businesses is essential to their long-term success.

Recognizing the importance of this last recommendation, I would like to talk with you about the work NOD is currently doing to support the many major corporations who have dedicated themselves to the principle of including the talent of Americans with disabilities at all levels of their operations.

In your last hearing on this subject, you heard from Randy Lewis, senior vice president at Walgreens, who has emerged as a leader in a new way of demonstrating that businesses can and should take full advantage of every kind of talent available to them in their communities. Mr. Lewis is an inspiring leader—so much so that a number of other companies—Lowe's, Sodexo, Sam's Club, Aetna and ADP, to name only a few—have taken up his challenge. These companies aspire not only to match Walgreens in hiring, retaining and promoting people with disabilities, but to be even better.

To support these companies in this crucial effort, NOD has staged the Bridges to Business program.

Current Employer Attitudes and Practices

In 2010 NOD and the Kessler Foundation commissioned the survey firm of Harris Interactive to interview officials at 400 small, medium and large companies, on their

disability employment attitudes and practices. Among other things, the survey found:

- While most companies have *diversity* hiring policies and programs, less than 3 in 10 include *disability* as a diversity category.
- While 25 percent of the companies have disability hiring *policies*, only 12 percent have *programs*;
- Companies report a desire to hire more workers with disabilities, yet their primary recruitment sources are word of mouth and employee referrals. This method of hiring will only replicate the current workforce, rather than diversify it.
- In business, what matters gets measured. And yet our survey revealed that only one in three companies tracked their hiring rates of candidates with disabilities.
- Six in ten companies report a lack of familiarity with publicly funded service providers who source candidates with disabilities.
- When asked why companies don't recruit more people with disabilities, they say they don't know where to source candidates.

With these numbers as a backdrop, it's not surprising that only 3 percent of new hires have disabilities and unemployment rates are stubbornly high.

NOD'S BRIDGES TO BUSINESS PROGRAM

NOD's Bridges to Business program is an ongoing initiative to help employers to effectively recruit, hire, train and retain job-seekers with disabilities; and to help agencies that provide job training and placement services to job seekers with disabilities work more effectively with businesses.

NOD provides the following services to these businesses that seek to hire, retain and promote Americans with disabilities:

1. Training to management and Human Resource staff on disability hiring retention and accommodation practices, and training to general staff about the nature of disability in the workplace.
2. Development of effective partnerships with community-based agencies and organizations that can effectively source and support candidates with disabilities.
3. Goal-setting and measurement practices that help companies establish quantifiable goals for the hiring of candidates with disabilities; typically, NOD sets the minimum goals for this effort at 10 percent of all new hires.

But our work is not limited to support of businesses. As you have heard from a number of other witnesses, the public workforce development system for people with disabilities is often ineffective in its service both to people with disabilities, and to the businesses that seek to hire them.

What should be a clear and focused support for citizens with disabilities is often a confusing, bureaucratic and disheartening system that traps the individual in dependence on public benefits.

What should be a responsive and dynamic source of well-trained talent for businesses is instead an unresponsive series of agencies that presents countless points of contact, and too few results.

As such, in supporting businesses, NOD has also been called upon to work with the many public and private agencies that ultimately should serve as their source of human resource talent. We provide the following services in support of providers of workforce development services:

1. Training and consultation to build their capacity to be responsive to businesses' hiring and retentions needs.
2. Facilitated partnership building and coordination between multiple agencies and providers, to ensure that they work together to provide more effective referral and services to businesses and career seekers, and a single point of contact for those businesses.
3. Connections to businesses, and a facilitated process of joint goal-setting.

RECCOMENDATIONS FOR BUSINESS SERVICES

Our work with these companies has yielded a number of findings that we believe will be instructive to the HELP Committee as they continue their work on behalf of veterans—and all Americans—with disabilities.

1. All agencies—including Vocational Rehabilitation, the Workforce Investment System, Developmental Disability Services, and various private organizations that contract with these agencies to provide direct services to career-seekers with disabilities—must present a business with a single point of contact through which the business can access the widest possible range of talent.

2. Public agencies must recognize businesses as important customers of their systems, equal to the citizens with disabilities that they already serve. It is impossible

to provide effective workforce development services to a job seeker without also providing the high quality services to businesses.

3. The performance of these agencies and organizations should be measured in part by their effectiveness in serving businesses. We must hold these agencies accountable for the speed with which they respond to a business' job posting, the effectiveness of the training they offer to meet their talent needs, and the satisfaction of their business customers with the services they receive.

4. To echo Randy Lewis's eloquent testimony before this committee:

"Businesses need an efficient and effective source of talent, and the certainty that the candidates who are being referred to them are the right match in terms of skills, training and goals. While there are numerous other services and supports required by career-seekers with disabilities, we should structure employment services—and our means for measuring their success—around these basic goals that are essential to the success of both the business and the career-seeker."

5. Our current system of "pay for performance" for the community-based providers of services has much to recommend it. It has the potential to inspire excellence in the services these organizations provide, and the kind of competition that ultimately fosters innovation. However, an unfortunate side effect of this system is the extent to which it *discourages* collaboration amongst both public agencies and private providers. Ultimately, this has led to a workforce development system for people with disabilities that is territorial; a system or providers that must compromise the overall effectiveness of its services to businesses and career seekers in hopes of earning the payments they need to survive and thrive. We strongly recommend that the current system of pay-for-performance that is used by so many agencies in their contracts with community providers be tempered with measures that recognize and reward, not punish, collaboration. By this means, we can begin to move toward a system wherein a single agency contact can act as the source of a much wider array of talent to its business customers, and one in which a more diverse range of career opportunities is available to every job seeker with disabilities.

6. As we have done in the Workforce Investment Act, we must create a space for the perspective of business in the leadership and oversight of these agencies. This leadership will give these agencies insight in to labor market trends and businesses' hiring needs. It will focus the training and candidate sourcing efforts, and provide local and State accountability to the needs of the business customer.

7. Finally, beyond policy, the members of this committee, their colleagues in Congress, the executive branch and the Federal Government must use their visibility to inspire businesses to commit themselves to hire, retain and promote Americans with disabilities. This does not mean regulation, which only intimidates and frustrates businesses. It means genuine leadership that begins with a clear and forceful call to action, and continues with the Federal Government fulfilling its goal of becoming a model employer of people with disabilities at all levels of responsibility, and in all types of jobs.

DEPARTMENT OF HOMELAND SECURITY HIRING EFFORTS

On this last point, I can offer my personal insight from my time as the Secretary of the Department of Homeland Security. From the beginning, Homeland Security maintained a commitment to being a model Cabinet agency for the 21st century. And part of that commitment is reflected in our efforts to promote employment opportunities for people with disabilities, both those who are highly skilled and credentialed—people to fill jobs at the highest GS and SES levels of this Department—and those who are seeking entry-level positions.

When we had a position to fill, we asked one key question: what does this person have to offer us? If the person had the skills and enthusiasm and determination to help us further our mission, we wanted that person on our team.

And so, it's in that spirit that I'm pleased to talk with you about a major initiative that I led at Homeland Security to make these words of commitment a reality, and to ensure that people with disabilities were given every opportunity to succeed at our Department. I issued a directive to all of the senior leaders of our Department that we must aggressively promote equal opportunity for people with disabilities.

Under this initiative, there were several specific directives. Let me highlight a few:

- Managers at Homeland Security headquarters completed a training course, designed to encourage them to interview and hire applicants and employees with disabilities. The course described the tools available to managers to help them successfully hire qualified candidates and included a panel of employees with disabilities

who could talk about the barriers to employment and the steps that can be taken to knock those barriers down.

- Additionally, every office within the Department was directed to engage interns with disabilities. These internships were valuable to both the students who built skills and experience, and the managers who learned how to ensure that people with disabilities have the necessary tools and opportunities to grow and contribute to the organization.

- And finally, every office within headquarters was required to let our equal employment opportunity (EEO) program know about hiring needs in advance. Our EEO program developed a network of people with disabilities who were available to work, so that when they got advance information about job openings, they were able to put those resumes on a manager's desk quickly.

One thing to keep in mind is that the headquarters at Homeland Security is relatively small; the majority of the Department's employees are people on the front lines of the war on terror—they are in the field, stationed around the country everywhere from border crossings to airports to seaports.

The initiative I mentioned was aimed directly at Homeland Security headquarters; and since we know that the "one-size-fits-all" approach wouldn't work, we also tasked each component agency under the department umbrella to develop a similarly aggressive strategy for hiring people with disabilities—one that was tailored to their specific circumstances.

These are easy, effective and sustainable steps that can position all Federal agencies to take full advantage of the talent available to them in the American workforce. Further, these steps will allow us to speak with knowledge and authority when we give the same message to businesses.

CONCLUSION

In closing, I am aware that one of your ultimate goals is to address the disability benefits structure in America—a system which currently acts as an overwhelming disincentive to work for most Americans with disabilities. Currently, an individual who relies on Medicaid and Medicare benefits for their health coverage—which, for Americans with disabilities even more than most of us, is of huge importance—will be justifiably hesitant to risk these benefits in search of what must typically begin as entry-level employment. As such, we are asking would-be employees to take a huge risk in the name of a reward that, to most of these folks, seems all too distant.

As we heard from an official representing one of the major Federal disability employment programs in a Reconnaissance we conducted in preparation for our employment efforts:

"You have to acknowledge at the outset that employment policy in this Nation is simply ineffective with respect to people with disabilities. We are at a crossroads because we have created policies that are contradictory and create dependency. . . . Basically, you couldn't purposefully design a system more fundamentally flawed than this!"

There are, of course, a complex system of Waivers and Buy-Ins that exist in many States that is designed to allow Social Security beneficiaries to work without losing their health benefits. However, these resources are often little-known, confusing and, as a consequence, underutilized.

Essential reform will require a system-wide assurance for all career-seekers with disabilities that their health benefits through Medicare or Medicaid will not be threatened until they have reached an income threshold wherein it is reasonable to expect that they or their employer will be able to replace these benefits directly. Without first removing the pall of fear which hangs over every individual's job search, we cannot reasonably expect to foster the hope, the vision and the drive necessary to begin a successful career.

The cause of these policy barriers, I believe, is rooted in the fact that these systems were originally created with little expectation that Americans with disabilities would ever be anything more than recipients of care; that they could not, in fact, become contributors to our economy, our tax base and our communities. It is not a lack of talent, drive or ambition in Americans with disabilities, but rather this tyranny of low expectation that has led to the opportunity gap between people with and without disabilities in America.

This committee began its work with a clear message: that Americans with disabilities can and should be contributors, not recipients. I urge you to see that message through, to ensure that we see it repeated in every policy, every agency, and every service we deliver to people with disabilities.

On behalf of the National Organization on Disability, I thank you for your time, your interest, on your vital efforts on behalf of all Americans with Disabilities.

ATTACHMENT I: NOD WOUNDED WARRIOR CAREERS EARLY OUTCOMES

Overall: 64 percent of 268 program participants are in education, work training or employed; this success rate is twice the average of wounded veterans who do not receive NOD's services.

EDUCATION

- 109 currently in education
- Success in education (attending, completed or in follow-on education): 90 percent
- Those not in school who are interested in education/training: 89 percent

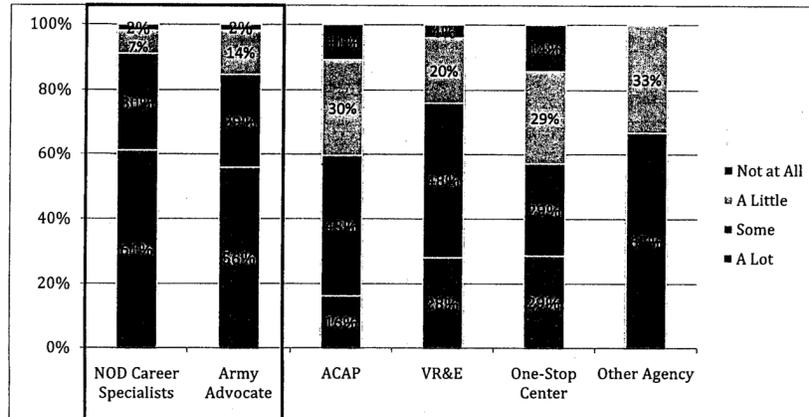
EMPLOYMENT AND RETENTION

- 70 percent of those employed have stayed in their job longer than 12 months
- 71 percent have held only one job (vs. multiple)
- Percent of jobs with benefits: 70–80 percent
- Satisfaction with employment/career goals: 93 percent (67 percent a lot/26 percent some)
- Satisfaction with job: 76 percent (21 percent very/55 percent somewhat)
- Satisfaction with job pay: 67 percent (19 percent very/48 percent somewhat)

OTHER

- Participation in volunteer programs: 20 percent
- Career assistance provided to spouses: 30 percent
- Veterans with moderate to high degree of confidence in ability to achieve employment or career goals: 80–90 percent.

Veteran Satisfaction: The following chart is derived from veteran satisfaction surveys and shows the level of satisfaction with NOD's career services in comparison to others.



The CHAIRMAN. Governor, thank you very much—a very profound statement. And I read most of it last night, too, and I said, you know, this is a person that has led by example, which you did as Secretary.

Believe me, I'm well aware of what you did when you were Secretary of Homeland Security, breaking down these barriers, setting up systems. The problem is we're not seeing that going on in some of the other areas. And I think you kind of put your finger on it. We've built up a system that was sort of based on dependency. We built up this system, and we've just got to start breaking that down.

And it's everything from independent living to outreach and getting young people with disabilities to understand that the default

position for them is not to go into some kind of covered employment, but it's to be going out there in competitive employment. Get those young people out there. Start thinking about that. And we're working on that right now in terms of—with voc rehab, to get them to start looking at getting young people from the very beginning to think about themselves as being out there in competitive employment.

I don't mean to go on too long here, but you struck so many chords there, Governor. But you mentioned, for example, on the 100 percent disability thing—that just drives me nuts, you know. I see you understand that.

Mr. RIDGE. Yes, sir.

The CHAIRMAN. You're 100 percent disabled. But that doesn't mean you can't work.

Mr. RIDGE. Exactly.

The CHAIRMAN. And most people can work and want to work. And how do we break that down? How do we change that system?

Mr. RIDGE. Well, I don't think—first of all, I don't think you have to change the mind set of the individual that's given the designation and the categorization of 100 percent disabled. They already know, in most instances—and some of them, unfortunately, will have to have that social net, that safety net—maybe so impaired that it's virtually impossible. But we want to give everybody a chance.

We have to recognize it may not be a possibility for every—but for the vast majority of people, it's a possibility. So you don't have to change the mind set of the man or woman with a disability. You have to change the mind set of the people—prospective employers. And that's where I think government has a role to play.

Senator, I think you mentioned it. It's a matter of matching—nobody wants charity. But there's a lot of ability out there, and we just want to match the ability with the need of the government, the ability with the need of the employer. One of the things we did to try to—and, again, encourage—your point—young people—we hired interns with disabilities. We asked them to come in, and then we matched—on the adult level, we had an individual, wheelchair-bound who was in IT. We had an attorney who couldn't hear but was doing a lot of legal work. We had a service connected employee working on security.

Match the need with the ability. And we like to say in NOD in the disability, it's the ability that counts.

The CHAIRMAN. That's right. That's right. Governor, you're a breath of fresh air. Thank you very much.

Senator ENZI.

Senator ENZI. Thank you, Mr. Chairman.

And thank you for your testimony. I was particularly impressed and want to emphasize page seven of your testimony when you say, "When asked why companies don't recruit more people with disabilities, they say they don't know where to source candidates." And just before that, you said, "Six in ten companies report a lack of familiarity with publicly funded service providers who source candidates with disabilities." Somehow we've got to get that all matched up because I really do think there are a lot of people out there that just haven't considered hiring people with disabilities.

They don't even know what the process is or what's involved with it.

So I appreciate what your organization does, and I'm very interested in the National Organization on Disability's Wounded Warrior Program. Could you talk a little bit about the partners that you have that work to achieve that goal?

Mr. RIDGE. First of all, we've been certainly supported by primarily private foundations to support us. Second, I think the cost per—as I mentioned before, it's a very cost-effective approach, and it's a model that we think could be scaled.

What we basically do, Senator, is we have veterans supporting veterans and their families. As you can well imagine, when mom or dad leaves with all their normal capacities and comes home from a tour of duty without sight or in a wheelchair or is dealing with some of these hidden wounds of PTSD and TBI, it's not just the veteran you have to be focused on, but it's also the family that has to adjust. So there's a range of psychological and emotional and physical problems that we think—that's why we—and you mentioned it, Senator—it's almost a wrap-around service model that says for a year or two or three, in order to get the veteran career focused—and sometimes it's education and then career—but also the family acculturated, we really need to do more than just—it's good to have all these programs that the Federal Government has, the Department of Labor has, the VA refers them to. But just referring them to a Web site or dealing with a career counselor, particularly for the severely disabled, that's just not enough.

We have great partners in these local communities in the three projects we're working with, and we also have veteran case-workers—veterans helping veterans. There's a certain empathy there.

And we've talked to some of the veteran service organizations, and one of the things that they do—and you've got to give credit to these VSOs—many times, when there's a severe disability, they will send in—they don't talk about employment or careers, but they'll send in someone at the Walter Reed, for example, who's severely disabled as a result of their efforts on behalf of our country, and show them what they are presently doing, and almost begin to acculturate—it took a while to get here, but look what I'm doing now. I am employed. You can be employed. You can be a contributor.

You said it right, Senator Enzi. There are a lot of partners. But it's a wrap-around support program that these men and women are certainly deserving of because of their service. But, again, the Bridges to Business—we focus on veterans, but nonveterans alike.

Senator ENZI. Thank you. In the interest of time—I know you have a schedule—I'll submit some other questions in writing.

Mr. RIDGE. I hope you do. I'm happy to answer them.

Senator ENZI. Thank you.

Mr. RIDGE. When I was Secretary of Homeland Security, getting QFRs wasn't exactly something that I encouraged—questions for the record. It's not something I necessarily encouraged, but everybody was very responsive. But in this instance, bring them on.

The CHAIRMAN. I'm very conscious of your time, but if you have at least one question or a comment, Senator Casey and Senator Blumenthal.

Senator Casey.

Senator CASEY. Questions for the record. We'll get you some.

Mr. RIDGE. Good.

Senator CASEY. Governor, thanks for being—I don't want to hold you up. But thank you for being here.

Mr. RIDGE. Yes. I really apologize. I hope I get a chance to come back.

The CHAIRMAN. Absolutely.

Senator Blumenthal.

STATEMENT OF SENATOR BLUMENTHAL

Senator BLUMENTHAL. I want to thank you for being here as well, Governor, and great to see you again. And thank you for your great work, particularly on disabilities of veterans. And, again, I don't want to hold you now, but I am very much involved in trying to work on behalf of veterans and particularly those whom you know firsthand have been injured in these last 10 years of war. And I'd welcome any comments that you have on the record now or, even better, afterward—perhaps be in touch with you directly on how we can improve what the United States does to help these wounded warriors.

Mr. RIDGE. I would welcome that opportunity. You know, we want our veterans to be employed, but there's a group of them that will come back with both visible and invisible injuries. They're going to need a lot more than what we're providing now. And what NOD has tried to demonstrate is that some of these veterans need more, far, far more than the well-intentioned programs that presently exist offer. And we hope that our approach can be scaled up, particularly with those with very severe disabilities.

But, again, we are also mindful as we build Bridges to Business that there are millions of other Americans with disabilities that may—if we looked at them carefully, may need some more support. So the Wounded Warriors Careers Program may be a good model for a much broader group of Americans than just veterans. I will welcome that conversation, Senator, and thank you for the invite.

Senator BLUMENTHAL. Thank you.

The CHAIRMAN. Well, Governor Ridge, again, thank you very much for being here, but also just for your great leadership, and through you, thank the National Organization on Disability for all that they do. We appreciate it very, very much.

Mr. RIDGE. Thank you.

The CHAIRMAN. Thanks, Governor. Thank you.

Now we'll turn to the rest of our panel. Ms. Deborah Dagit has been the vice president and chief diversity officer for Merck and Company for the past 10 years. She currently serves on the board of the U.S. Business Leadership Network and is the past chair of the Conference Board's Workforce Council on Diversity.

Ms. Dagit has been a small business founder and owner, starting "Bridge to Jobs" in 1987, a firm that placed 400 people with disabilities annually in full-time employment positions. She also worked with Representative Norm Mineta in the House for the pas-

sage of the ADA—thank you—and, as far as we know, is the only Fortune 100 company diversity officer with a visible disability.

We welcome you.

Our final witness is Ms. Amelia Wallrich, a recent graduate from the University of Illinois, Urbana-Champaign, and a rising first year law student at Northwestern University. Ms. Wallrich has been in Costa Rica as a goodwill ambassador for Mobility International USA, has served as an AAPD intern in Senator Durbin's office, has worked on international student exchange programs, and has been a campus leader in educational access for students with disabilities.

So, again, I thank you both for being here. Your statements will be made a part of the record in their entirety.

Ms. Dagit, we'll start with you. Welcome, and, again, please proceed as you so desire.

**STATEMENT OF DEBORAH DAGIT, VICE PRESIDENT AND
CHIEF DIVERSITY OFFICER, MERCK, WHITEHOUSE STATION,
NJ**

Ms. DAGIT. Thank you very much. And thank you, Chairman Harkin and Ranking Member Enzi, for having me here today and allowing me to make this testimony.

I come to this conversation as a person who was born with brittle bones, otherwise known as Osteogenesis Imperfecta. And, as you said, I led "Bridge to Jobs", which was actually a coalition of agencies, a private partnership with the public sector. We were very proud of how many people we were able to place. I also have been a vice president and chief diversity officer in the private sector for 20 years now.

As a baby boomer, I attended school in the San Francisco Bay Area in the 1960s and 1970s. And at that time, my mother had to fight just to get me into public school. Today, as the parents of three teens who all have various types of disabilities, my husband, who's here with me today and also has a disability, we can attest that parental advocacy is still needed in our schools. Thankfully, it's not required to get into school, but rather to make sure that our children are not tracked away from competitive college and career preparation.

As parents, we must also continue to work to affirm that our children's individual education plans are treated as environmental enablers in their education instead of as premature labels that stigmatize them and limit their potential. Our schools must have high expectations of all students, and in addition to high standards for academic performance, school experience must include critical socialization and work experiences for students with disabilities.

There are three model programs that Merck actively sponsors and engages with that I would recommend for all firms: the Rutgers Future Scholars Program, Career Opportunities for Students with Disabilities, and the U.S. Business Leadership Network. All of these resources are highly effective and provide students with the supports they need to prepare for postsecondary education, transition to the workforce, and become active participants in their communities. My written testimony includes details about these, and I'd be happy to provide more information.

In addition to external partnerships such as these, companies that are really serious about fully including people with disabilities in their workforce also need to make sure that they have the right internal policies and practices in place. For most companies, a major barrier to including people with disabilities is that they need to move away from the commonly held medical model that defines disability as some sort of deficiency that is inherently negative to a model that is more consistent with other aspects of how companies address diversity in their workforce.

At Merck, we believe that for colleagues with disabilities to be viewed like other underrepresented groups, it is imperative to think about it through a social model that simply defines disability as different from the majority and neutral in the absence of additional context. Most importantly, it identifies the primary agents of change as company representatives and the person themselves.

Our social model is embodied in our Workplace Enablement Program. Nora Velli and June Mills, our colleagues at Merck who are here with me today—and they lead that program, which provides work environment solutions for all employees with both non-apparent and visible disabilities. This resource positively impacts return to work after a health event and enhances productivity for employees, their managers, and their peers because they can quickly access accommodation solutions.

Like many of us in this room, I am experiencing various changes associated with the aging process. In my case, that means my bones are becoming more fragile. Last year, I fell and broke both legs, which changed my needs so that I could still be safe and productive at work. Due to this program, rather than go on medical leave or retire early, I was able to quickly obtain the accommodations I needed, like door openers and my husband being able to accompany me on business, like this hearing.

The barriers people with disabilities in this Nation face are persistent and not subtle. As an example, a mere decade ago, 10 years after the passage of the ADA, when the IT sector in Silicon Valley began to shed many jobs, I decided to pursue new opportunities in other industries, including healthcare, finance, and retail. I interviewed with many Fortune 250 companies and was surprised and dismayed that despite my strong resumé, which included 10 years of experience as a successful and well-regarded diversity leader, I was repeatedly rejected as a candidate when they met me in person.

In one particularly memorable situation, after several phone interviews, I was flown first-class to New York City, put up in a five-star hotel, driven to the employer in a limousine, and then upon meeting me, the recruiter for the company canceled all the interviews. He explained that his firm was not comfortable considering someone like me for the role. However, given my subject matter expertise, he did wonder if I would be open to them hiring someone else who had strong media and government contacts but lacked diversity experience so that I could support their success from behind the scenes.

Fortunately, shortly after this experience, I interviewed at Merck, where I finally found the perfect match. At Merck, I feel I am truly a partner in our mission to enhance and save lives.

In closing, as parents, Dan and I know we can continue to be strong advocates for our children in partnerships with the schools they attend to make sure they are fully prepared to compete for jobs in our country. But if they are to fully contribute to this Nation as Americans with disabilities, I'm going to need your help. I will not be the chief diversity officer for the company they go to work for some day. And I am counting on the people in this room to make sure the public policy and legislative requirements are in place that not only help the United States to be more competitive in the global marketplace, but also ensure that my children are not stigmatized, marginalized, or excluded from contributing to their full potential. And I am at your service if I can help in any way.

Thank you.

[The prepared statement of Ms. Dagit follows:]

PREPARED STATEMENT OF DEBORAH DAGIT

Chairman Harkin, Ranking Member Enzi and committee members, I am honored to participate in this committee's examination of employment opportunities and barriers for Americans with disabilities. I bring to this discussion both my experiences as someone born with a visible disability and my experiences in the business community as a human resources professional and chief diversity officer.

I am a baby boomer, born in 1959 in San Francisco, CA at Letterman Army Hospital. The doctor who delivered me told my terrified parents that I had two broken femurs due to a brittle bones disease (Osteogenesis Imperfecta), and that I would not likely live beyond age 2. He said that if I lived I would not walk or go to school. My parents carried me home on a pillow afraid that they would cause a fracture when feeding or caring for me. Although I would end up having more than 70 broken bones and 25 major surgeries to straighten and strengthen my legs, I have been able to live a full and active life.

Starting in the second grade I was able to attend regular public school. I went on to college and then entered graduate school for clinical psychology. I worked full-time, and went to school at night—still experiencing fractures now and again—but they were less frequent, and I was able to live independently.

Upon graduation I wanted to apply my skills in a corporate setting, but I faced many attitudinal challenges. Five different senior corporate executives told me that I should stop applying for more senior level positions. They felt I was "lucky to have a job," and should realize "someone like me" could not expect to be in a leadership position.

In 1987, when the COBRA act took affect, I decided to try a new strategy. COBRA created an opportunity for me. It allowed me to maintain my health benefits while I founded and managed "Bridge to Jobs," a non-profit job placement agency for people with disabilities. We were able to annually place approximately 400 people with disabilities into meaningful employment. I learned from this experience that many people with disabilities also belong to other disadvantaged and/or under-represented groups including people of color, older workers, veterans, and individuals living in poverty or are otherwise economically challenged.

In 1990 my Congressman, Norm Mineta, asked me to assist with the passage of a bill he was a key co-sponsor of in the House, the Americans with Disabilities Act. After much hard work by many, including the Chairman of this committee, I was honored to be there on the White House lawn when President George Bush signed the ADA into law.

After that historic day, I thought about how best to make sure this legislation resulted in the intended outcome of ensuring that Americans with disabilities can fully participate in our society. I quickly realized the best place for me to affect change was back in the corporate sector—creating sustainable replicable models for full employment and inclusion of people with disabilities in the workforce.

In addition to my extensive business and corporate experience, I also have a great deal of family experience. My husband Dan, who also has a disability, and I have three children who are now teenagers. They each have various disabilities, and we have learned much about the contemporary challenges youth with disabilities face educationally, socially, and in preparing for college and a career.

In my professional life, I have been a "Chief Diversity Officer" (CDO) for 20 years in three different companies. Being the only CDO that I know with a visible dis-

ability, I have been honored to represent both the business perspective and the needs of people with disabilities in a variety of settings—including this important hearing. I have come to understand the enablers and barriers to fully including people with disabilities in the workforce. Today I would like to share my recommendations from these experiences.

IMPROVING THE LIVES OF PEOPLE WITH DISABILITIES BY MOVING TO A SOCIAL MODEL

I strongly believe that the foundation of any changes in our current system needs to be rooted in moving our view of disability from a **medical** model to a **social** model.

The medical model of disability is still prevalent in our country as evidenced by the manner in which Americans with disabilities are depicted through our language choices, media portrayals, fundraising activities, and program eligibility requirements. People with disabilities are routinely characterized as having some sort of deficiency, that their condition is inherently negative and needs to be ameliorated, and that the agent of remedy is some type of health professional's intervention. In the employment sector, we may do the most harm of all. Before individuals with disabilities are eligible for supplemental security income (SSI) or social security disability insurance (SSDI), they must declare they cannot work. This is the ultimate example of a deficit model approach, and is bad policy if we want individuals with disabilities to be part of the workforce.

A social model defines disability as different from the average, neutral in the absence of additional context, and located in the interaction between individuals and society. The remedy in the social model is ensuring that the environment is accessible and that attitudinal barriers are addressed. In this model there are multiple individuals who might assist in this process, and self-assistance is often the primary mechanism. There are signs that this model is gradually emerging in our Nation's schools, programs, workplaces and policies, but we need to accelerate this paradigm shift to effect sustainable change and to ensure that individuals with disabilities are fully included in all parts of society.

At Merck our philosophy about employees who have disabilities is that they likely have strengths that offset and are linked to their limitations. It is also likely that their limitations provide new perspectives that support innovative thinking. We believe that living life with some limits can hone skills and values that can enrich the contributions employees can make. The inclusion of people with disabilities in our workforce sets a tone, particularly in a health care company, which improves the work environment for all. It demonstrates a core principle, that better health care outcomes are achieved when consumers are empowered decisionmakers that make informed choices due to heightened health literacy and confidence. Diversity is our Nation's strength and competitive advantage in the global economy. We literally represent the world in one country, and if we could more consistently harness the available knowledge and insight of diversity of thought and experience through inclusive practices, we would be able to develop and deliver more innovative solutions faster than any other nation.

EDUCATIONAL CHALLENGES

Schools are the source of our workforce, but as early as middle school we are starting to lose talent in our country. Unfortunately for students with disabilities there is all too often a crisis of low expectations. While access to public education is better today than in the past, often children with disabilities (mine included) are "tracked" away from college. While today's Individual Education Plans (IEPs) help, it is important that they be set up to enable students to attain the same academic standards as their peers, not just to pass standardized testing. An IEP needs to be viewed as an environmental enabler in our education system, much like a job accommodation in a company. The IEP should promote access to rigorous curricula that will enhance the opportunities for students with disabilities. It is important that we have the same standards for young people with disabilities. The tools available to access challenging curricula, including modified instructional techniques, assistive technology and accessibility as resources, will allow students with disabilities to achieve outstanding educational goals. This is consistent with the Elementary and Secondary Education Act expectations that are set forth, and we should be holding schools accountable for the rigorous academic achievement of students with disabilities.

One great program that is currently underway and is similar to the U.S. Department of Education TRIO programs is the Rutgers Future Scholars Program (RFSP). This intervention at grade seven identifies disadvantaged youth, including young people with disabilities, and offers them a variety of invaluable resources including:

- The program focuses on building the Scholar's social capital through collective efficacy. The RFSP is unique in that it creates a pipeline of support from 7th grade through college graduation (9-year continuum of support) providing academic year tutoring, mentoring, cultural and career-readiness activities, and summer learning cost free. Every year 200 Scholars are selected, and as of 2011 the program serves 800 students from across New Jersey. Lastly, which makes this program extraordinary, every Scholar is promised a tuition scholarship to study at Rutgers if they earn admission upon graduating from high school.

- Staff who work directly in the schools to obtain additional information about selected students, such as their Individual Education Plans. This informs the accommodations that are provided for the students while they are in the program and enables RFSP staff to maximize each scholar's multifaceted growth. All accommodations are defined and progress is tracked through the creation of an Academic Success Plan or Victory Plan. This is a key tool, enabling RFSP to provide optimal learning and accessible environments based on the students' strengths and challenges. As part of this planning school partners, parents, and the Scholar him or herself are included in the development of the plan.

- The program's goal is to provide a wide variety of promising students who are underrepresented in higher education with the support needed to graduate from both high school and college. Thus, the program focuses on the many dimensions of differences of the scholars and provides support so the scholars can maintain a focus on inclusion as well as fostering educational equity.

Public-private partnerships like the Rutgers Future Scholars and the U.S. Department of Education's TRIO programs demonstrate that this model of early support can have tremendous impact on students with disabilities when they are included in the target population.

Once a student graduates from high school and begins their college experience, a new set of challenges emerges. While there is frequently some form of disabled student services on campus, designed to gain access to accommodations and various types of academic support, student career planning and placement centers are less accessible. Those career planning and placement centers often direct students with disabilities who are seeking employment advice back to the disabled student services offices. Disabled Student Services office staff, while often very qualified to provide accommodation for students while they are on campus, often know very little about the career planning and placement process and the labor markets in which students with disabilities might be interested. This leaves students with disabilities without the type of job placement resources that non-disabled students receive.

But there is a solution: Career Opportunities for Students with Disabilities (COSD). In its 12th year, COSD is a network of over 1,200 colleges, universities and national employers in the private and public sectors. They raise awareness regarding the unique challenges that students with disabilities face and help with career placement. They also encourage employers to specifically request access to students with disabilities during campus recruiting activities, and inquire whether or not the school coordinates their disability support services and career placement programs. The employers' advocacy, combined with information from COSD, leads more schools each year to adopt an integrated approach to supporting students with disabilities as they begin their job searches.

Every year, contemporary information, resources and training are disseminated by COSD via conferences, summits and webinars to professionals in both higher education and employers. The goal is to enhance awareness of career development strategies and to foster best recruiting practices of college students and recent graduates with disabilities, including veterans. COSD Career Gateway provides direct service to college students through a nationwide, online, no-charge job posting and student resumé database specifically designed for college students and recent graduates with disabilities. Finally, COSD coordinates "Student Summits," regional networking events that bring together up to 60 college students, veterans and recent graduates with disabilities with employers in an intimate and relaxed setting to network and get to know one another. The purpose is to help students become more confident and be able to more positively present themselves to employers. These summits also allow hiring managers to become more comfortable interviewing students with disabilities in a no pressure setting.

Other supports are needed to further the COSD model. For example, grant funding is needed to establish **Communities of Practice** with higher education institutions to identify the best method for each campus to outreach to students with disabilities for career development activities and to benchmark methods of collaboration between student disability services and career planning and placement. In 2010, a demonstration project, funded through the Medicaid Infrastructure Grant, was conducted with nine higher education institutions in New York State. The re-

sult was each campus identified their own unique model programs integrating disability support service and career placement services. These models were shared among the nine IHEs. A more extensive communities of practice model using this approach could be very helpful if it were replicated across the country.

In addition, research is needed to specifically identify the barriers that prevent college graduates with disabilities from making a direct transition to work. This research should be conducted by disability categories to allow a more targeted plan to help students with specific types of disabilities that have a significantly more difficult time in finding career employment. This includes students with psychiatric disabilities, intellectual disabilities, autism and sensory disabilities (blindness and deafness). As you can see, COSD is a great model for accessing college students with disabilities, but for companies of all sizes to access candidates at all career levels, additional partnerships are needed.

EMPLOYMENT CHALLENGES

At Merck we collaborate with and support the US Business Leadership Network® (USBLN®) where I am proud to serve as a board member. It is a national disability organization that serves as the collective voice of over 60 Business Leadership Network affiliates across North America, representing over 5,000 employers. The USBLN® helps build workplaces, marketplaces, and supply chains where people with disabilities are respected for their talents, while supporting the development and expansion of its local BLN affiliates.

The membership of the USBLN believes that the following *public policy changes* would expand the pool of job candidates and entrepreneurs with disabilities:

- establish appropriate affirmative action expectations for people with disabilities as with other under-represented groups. We also suggest there be an expansion of the census survey to include questions that help bridge the gap between occupational information and demographics inclusive of people with disabilities and veterans. For those that are unemployed, we could leverage the educational attainment tables to set more aggressive hiring goals. In the interim, it may be worth establishing a percentage hiring goal for a location as the available pool of talent with disabilities varies across the country due to practical matters like access to public transportation and other forms of infrastructure that are required.
- evaluate the impact of developing a standardized definition of disability across all Federal programs. The USBLN believes that Federal agencies need to have better alignment about when it is appropriate to ask about a disability and necessary accommodations and supports; in addition, companies need to make the self-disclosure process for employees with disabilities something that is both easy to do (separate from requests for workplace accommodations) and as risk-free as possible.
- evaluate the impact of modernizing the Social Security definition of disability by defining disability in a manner that acknowledges the interaction between the person's disability and the environment, and does not require the individual to prove their inability to engage in substantial gainful activity.
- create employer incentives to increase the availability of effective workforce retention policies and programs to keep working adults with newly diagnosed or recently exacerbated medical conditions.
- develop financial incentives for businesses to provide transportation subsidies for employees with disabilities.
- promote international accessible design standards for building environments, transportation vehicles, and information and electronic technology.
- create incentives for the parent and academic communities to promote STEM careers for students with disabilities.
- authorize research to collect hard data about the discretionary spending power of people with disabilities, the actual and potential employment pool of persons with disabilities, the disability market share, and the long-term ability of people with disabilities to retain employment.
- authorize a comprehensive review of statutory and regulatory authorities addressing procurement and acquisition of Federal contracts and develop proposals for revisions, as necessary, to insure increased utilization by, and awarding of contracts to, disability-owned business enterprises.

The USBLN's flagship program is the *Disability Supplier Diversity Program* (DSDP). DSDP is the Nation's first and only third party certification program for disability-owned businesses and includes service-disabled veterans. The certification is a rigorous process that includes a site visit. It offers the Disability Owned Business Enterprise the opportunity to market its certification and to connect with USBLN member companies. The program advances economic opportunities for all entrepreneurs with disabilities, by working with America's top corporations to

broaden corporate supplier diversity programs to include disability-owned businesses. The ultimate goal of the Disability Supplier Diversity Program is to develop and grow an infrastructure that will foster a mutually beneficial relationship between corporate purchasers and disability-owned businesses.

The business community needs research to effectively build the business case to broaden corporate supplier diversity to include disability-owned businesses. The research should:

- identify the pool of entrepreneurs/potential suppliers with disabilities;
- identify barriers and facilitators experienced by disability suppliers;
- examine issues of capacity development, job creation, effective relationships with corporations, and inform more targeted capacity/business development for disability-owned businesses; and
- identify facilitators and barriers to becoming a successful supplier and coming to scale as a business, and working effectively with corporations.

Once a company has successfully recruited people with disabilities, the next step is to ensure full inclusion in their workforce and workplace. At Merck we have a **“Workplace Enablement”** program that provides supportive, productive and flexible work environment solutions for employees with both non-apparent and visible disabilities. This not only ensures we are fully compliant with regulations, but positively impacts return to work after a health event, and enhances productivity for employees, their managers and peers who can quickly access appropriate accommodations solutions.

There are four key pillars in the program:

- Inclusion messages that ensure the program is well understood and easily accessed by employees, managers, and the human resources community.
- Linkages to our broader health and wellness initiatives to ensure all employees are proactively engaged in our fit and healthy efforts.
- Ensuring full compliance with ADA and OFCCP guidance and associated documentation requirements.
- Training for managers to support confidence and capability by addressing any concerns around language choices, accommodations, and performance management; linking these efforts to the broader talent objectives (e.g. retaining top talent after the advent of a health challenge), the business case for disability inclusiveness, an overview of the ADA Amendment, and some case scenarios to “make it real.”

At Merck we also have evaluated other aspects of company life to ensure full inclusion of people with disabilities:

- We have created guidelines and checklists for ensuring meetings are accessible and that accommodations are readily available for travel, hotel requests, accommodations for presenters with a disability, and dietary needs.
- We have evaluated and addressed various access issues to Merck facilities for both guests and employees to make sure our environment is safe and welcoming.
- We ensure that development opportunities, both virtual and classroom, are accessible.
- We routinely included closed-captioning during major business meetings and make this service or sign language interpreters available to colleagues upon request for smaller meetings.
- We offer a variety of work/life tools and resources, including ready access to flexible work arrangements, and a variety of home health support through an external partner.
- We include entrepreneurs with disabilities in our supplier partner programs.
- Merck has partnered with eSEENTIAL Accessibility, a provider of a software-based service, to make online environments fully accessible to individuals with physical disabilities.

Our desired outcome at Merck is that candidates and colleagues who have a disability believe that “Merck is always there for me. They know that I am not defined by a disability, but by the contributions I am able to make to my team’s goals.”

Finally we have a very active Employee Resource Group for colleagues with disabilities, caregivers and allies. The members of this team have helped us to develop our approach, as outlined above, in keeping with the social model of disability. The Employee Resource Group has played a key role in executing our disability support and diversity programs. We truly believe that our efforts to fully include people with disabilities in our workforce will help Merck to achieve our mission: ***to become the most trusted and valued healthcare company to all people.***

FINAL RECOMMENDATIONS

Prior to joining Merck in 2001, I interviewed with many Fortune 250 companies, most of them on the East Coast. I was surprised and dismayed that despite my strong resumé and 10 years of experience as a successful and well-regarded diversity leader, I was repeatedly rejected as a candidate and was explicitly told it was because of my disability. In one particularly memorable situation, after several phone interviews, I was flown to New York City for an interview. Upon meeting me the recruiter cancelled all my other interviews. He explained that the firm was not comfortable considering someone like me for the role. However, given my subject matter expertise they wondered if I would be open to working “behind the scenes” if they hired someone with strong media and government contacts who did not have diversity experience. Obviously, I declined the offer.

I am interested in contributing to society, and fortunately when I interviewed at Merck, I found the perfect match. At Merck I feel I am truly part of our mission to enhance and save lives by addressing unmet medical needs. I believe I can have particular impact in under-served communities. When I interviewed at Merck, their chief concern was whether or not I was willing to relocate from California to New Jersey, a move I have learned is not all that common in our country. Now having served as a chief diversity officer for 20 years, I would offer the following parting thoughts regarding full inclusion strategies for people with disabilities:

Recommendation #1: Like many who identify as a person with disability from a young age, I was told that I was “special.” Everything I was involved with was “special.” This included the special school I attended for the first few years, the reason why the local newspaper featured me regularly in the Sunday living section, the wheelchair I used after a broken bone or surgery, the place where I received healthcare, and the various adapted activities I engaged in—all were “special.” Fifty years later, we still commonly use “special” to describe the ways our society thinks about people with disabilities and the associated products, services, and activities we use. The intent was and is to depict these things in a positive light. The reality is that if you are special enough to be periodically featured in the Living or Community section of your newspaper, whatever health condition you are managing is the least of your worries. You have now entered a world where people are either characterized by society as “poor souls” who are dependent on others, or “inspirational heroes” who make those who don’t have a disability shake off their worries and say, “If they can do X, (fill in the blank activity), why then I should stop feeling sorry for myself and do more with my life!”

Recommendation: Avoid the word special when referring to programs, services, building, and other supports related to disability. We have done a good job of eradicating “handicapped,” “crippled,” “confined,” “afflicted,” and various other damaging words to describe people with disabilities. Let’s go the distance and work on this last word that damages self esteem and sets people apart. For firms that have a global footprint, they may want to consider adopting “differently able” or other country-specific language which translates better than “disability.” Unfortunately “disability” in some languages translates as not valued or less valued. It is also important to take the time to ask and seek to understand how each sub-community of people with disabilities prefers to be referred. For instance those with hearing impairments prefer to be referred to as “deaf,” individuals who are of small stature, like my husband and I prefer “short-statured” over “midget,” and people with intellectual disabilities prefer “developmental disabilities” vs. “mental retardation.” Words matter.

Recommendation #2: Managers of people with disabilities sometimes assume that everything is fine because the person with a disability who works for them is not complaining, even if they have remained in an entry level role for an extended period and are not interacting with people outside of their immediate work area. These employees are highly vulnerable to reductions in the workforce as their skills often become dated and they are typically not visible to more senior leadership when business decisions are made about layoffs and workforce reductions.

Recommendation: Make sure programs for individuals with disabilities continue to enhance their job skill development after the person is hired. Ensure managers continue to follow the progress of people with disabilities once they join the firm to ensure they are reaching their full potential to contribute to the business. If people with disabilities are languishing in entry level roles, find out why, even if they are not complaining, and support them to grow and develop. If a firm has low expectations, of anyone, those employees will likely live up to those low expectations.

Recommendation #3: Caregivers should be considered. My husband Dan and I both have disabilities ourselves, and are also caring for three children with disabilities. We also care for my mother who is challenged by various conditions. We are just as grateful for the resources and supports that we have access to as caregivers as for the workplace accommodations I have had available to me over the years. A company's reward for addressing the needs of caregivers as part of their corporation's disability strategy is more engaged employees who are getting the support they need to care for a loved one so they can focus at work. Examples of resources we provide along those lines at Merck include elder care resource and referral, college planning resources for parents of children with autism spectrum disorders, a robust Employee Assistance Program, back-up child care, flexible work arrangements and various internal networks for caregivers to exchange ideas and resources.

There are some risks to focusing on the care-giving population as part of an overall approach to addressing disability at work. The "out" caregiver population is usually much larger than people who are willing to self-identify as having a disability. As a result the needs of this group can over-shadow the needs of the individuals who are differently able, and they do tend to be different. Caregivers are often focused on how to help their loved one get the quality health care and education-related support they need. People with disabilities are focused on career development, accommodations in the work environment, inclusion in company social activities, and social justice/equality issues like other under-represented populations in your workforce.

Recommendation: Combine the two groups to create a critical mass for disability initiatives. Because there are some common interests, this can help programs be sustainable and help companies identify and train workplace "allies" who will create momentum. Separate and clearly articulate the needs and priorities of the two groups making sure that both are experiencing visible and substantive progress towards their most pressing concerns.

Recommendation #4: Companies should foster an environment where people are comfortable with their disabilities. Then they are able to more freely ask for what they need to be fully productive, engaged, and included. It is useful to look to the lessons learned from the work those of us in the field of diversity and inclusion have done in the Lesbian Gay Bisexual and Transgender (LGBT) community, which faces many similar challenges around being out at work:

- Ensure benefits plans and flexibility policies are equitable and accessible (e.g. eliminate pre-existing condition clauses in medical plans, provide coverage for mental health support, manage employees by objectives vs. face time).
- Engage allies in the workplace, and provide them with the language and tools of empowerment like "differently able" and "wheelchair user." It was a big deal for the LGBT community when company leaders could say those four words in the acronym. We need to do the same for those who have been traditionally known as "handicapped." Refer to this group in a manner that is empowering and deserving of respect as colleagues and consumers vs. in the context of philanthropy. Create "safe space" efforts where allies are available as visible confidantes to interrupt misinformation and champion full inclusion.
- Make sure your business case is strong and well-articulated for this population, which is well-represented both in the labor pool and marketplace. LGBT and disability populations are very similar in size and buying power.
- Ensure that senior level leaders who have a disability are visible as role models and have them address head-on the perceived risks around being out and the importance of bringing all of who you are to work.
- Invite other Employee Resource Groups to support disability efforts. Since all other groups include people with disabilities there is a strong case to be made for everyone getting involved in the efforts for this constituency. Remind your ERG members that cultural differences can lead to additional challenges for people who have a disability, and if we are to address the needs of this population, as we have done with LGBT, we need to be courageous enough to say out loud how these cultural norms compound the challenges people with disabilities face.

Recommendation: Apply best practices and lessons learned from LGBT advocacy work in addressing needs of employees who are differently able.

Recommendation #5: With the current conflicts in the Middle East and the many service men and women who are returning with both hidden and visible disabilities, there is a new call to action we must meet. The military is looking for corporate partners to help them in supporting veterans who are transitioning back to civilian life. Now more than ever it is important that we invest time and effort in understanding the transferrable skills that these men and women learned during their service and how they might be applied in our industries. We also need to edu-

cate ourselves in the various hidden disabilities that are all-too-prevalent in this population including post-traumatic stress disorder, traumatic brain injuries, and various other chronic health conditions that are the result of the extreme and dangerous duty they lived through.

Recommendation: Develop partnerships with military leadership to understand and transition returning veterans. At Merck we have formed a Veteran's leadership network that is made up of about 500 men and women from all branches of the military who have informed our outreach, recruitment, accommodation, and inclusion efforts in a manner that is respectful, sensitive, and credible. We are encouraged by the enthusiasm of our Merck veterans who are applying their can-do spirit to the challenges associated with matching returning veterans with our job opportunities.

I feel very fortunate to have had several people in my work life who gave me the opportunity to demonstrate that I am differently able. Their names and faces are always with me. I know how important it is to evaluate a person with a disability to determine what they are capable of and what they have not yet demonstrated. We should all strive to be that person who sees what is possible.

Since the Americans with Disabilities Act was signed into law 20 years ago many things have changed, but I think we can all agree that we have not yet achieved the vision of economic empowerment and meaningful employment for people with disabilities that we all dreamed of that day on the South Lawn of the White House. As we near this milestone anniversary let's celebrate the laudable successes, and redouble our efforts to address unemployment and under-employment of people with disabilities.

In closing, as parents, my husband and I know we can continue to be strong advocates for our children in partnership with the schools they attend to make sure they are fully prepared to compete for jobs in our country. But if they are to fully contribute to this Nation as Americans with disabilities, we will need your help.

I will not be the chief diversity officer for the company they go to work for some day, and I am counting on the leadership of our country to make sure that public policy and legislative efforts are in place that not only help the United States to be more competitive in the global marketplace, but also ensure my children are not stigmatized, marginalized or excluded from contributing to their full potential.

I am at your service if I can help in any way.

The CHAIRMAN. Thank you very much for your testimony and for being here. And now we'll go to Ms. Wallrich.

Welcome. Please proceed.

**STATEMENT OF AMELIA WALLRICH, LAW STUDENT,
NORTHWESTERN UNIVERSITY, FRANKFORT, IL**

Ms. WALLRICH. Thanks. Good morning, Senator Harkin, Senator Enzi, and Senator Casey. Thank you very much for the opportunity today. It's an incredible honor not many people of my age have the chance to take part in.

I'm also particularly indebted to this committee. I grew up in the generation that had the benefits of the Americans with Disabilities Act and the IDEA, and many of the opportunities and my successes come from the protections of this law. So I thank the committee and, in particular, Senator Harkin, for your tireless leadership in continually pushing our community forward and making sure we have continual access.

I'm also incredibly indebted to my fellow witnesses who served as role models and definitely pushed these laws forward so that future generations would have so many more opportunities. And we're doing our best to make the most of them.

As you've read in my testimony, I grew up with a rare genetic bone disorder that causes limitation in the joints. So my hands and feet are basically frozen in their positions, and my knees, elbows, and shoulders have limited movement. I'm able to walk and stand for short periods of time, but mostly I use a motorized scooter to

get around. I use other accommodations in school and the workplace when I have to do a lot of writing or typing, and at home I use devices for putting on my shoes, turning on lights, so that I can live independently.

One of the unique perspectives I guess I can add is that I am the ADA generation. ADA is 21 this year. I'm 22. So I had so many of the opportunities because of this act. I did not have to fight to have access to school, which was very fortunate, because I love school. But I did, as you said, need a lot of parental advocacy to make sure that I was continually part of the learning environment.

I am very fortunate that I have a very assertive mother who continually pushed and advocated on my behalf with school officials, making sure that I wasn't placed into a special ed classroom, that I had access to advanced courses, that I had access to aids that helped teach me self-advocacy skills so that I did not have to rely on an adult or a school official to tell teachers about my needs. I could talk to them myself, and that was hugely instrumental in not only my transition to secondary education, but to higher education, and now on to law school.

But also in the workforce, when I get a job, I'm not going to bring my mother with me to my interview to sit next to me and tell them about me and my disability. I'm going to be there on my own, saying,

“Yes, I can do a fantastic job, but I need a little help. Maybe you can not put me in the office at the top of four flights of stairs, and you could have a nice, strong intern carrying the heavy boxes.”

These were very, very key, and a lot of students with disabilities—I wish sometimes I could clone my mother. Maybe I'd like to add a little caveat to that. I'm definitely not showing her this testimony so she doesn't hear that.

But she was great in the sense that she never wanted me to be dependent. She wanted to stay out of my way so that I could do what I wanted. But she was very aware that she needed to teach me how to speak for myself so I could go out into the world. And I think that self-advocacy training is still a big part of the job transition and the school transition that is overlooked.

It is great that we have all these resources. But we need to learn how to get those resources on our own. And that's where I had the huge benefit, not only in school but also in structured internship programs, to be able to have role models with disabilities that said, “Well, this is how it works in the workforce; this is how you can present your disability so your employer will understand,” and having resources to kind of bounce ideas off of or places to go when I have questions on how to further my career and how to resolve issues with disabilities.

The last thing I want to say is, as you're considering legislation, you should keep youth with disabilities at the forefront. As the ADA generation, we grew up with the expectation that we would have high successes, and we really expect those to be met in the laws that you guys are making. And as you're considering broad education and employment legislation, youth with disabilities should be included with those, not an afterthought. We should be at the forefront, because we matter as well. And we're more than

capable of being strong and hard workers to contribute to our economy and our society.

Thank you.

[The prepared statement of Ms. Wallrich follows:]

PREPARED STATEMENT OF AMELIA WALLRICH

First, I would like to thank Chairman Harkin, Ranking Member Enzi, and the other committee members for the opportunity to speak today. As a young person with a disability, just beginning my career, it is an incredible honor to be able to share with you a little about my employment and educational experiences and my hopes for the future.

My name is Amelia Wallrich, I am 22 years old, and am from Frankfort, IL, a small suburb of Chicago. I was born with a rare genetic bone disorder, called Torg Syndrome. I am one of a handful of people in the world with this disorder, and doctors are still researching its root causes, treatments, and the way the disorder progresses. The disease works by causing inflammation in the joints, when a joint becomes inflamed I experience extreme pain and a loss of full movement in those joints. The inflammation has resulted in weakened bones and limited movement in almost every joint. My hands and feet are basically frozen in their positions, and my knees, elbows, and shoulders are limited in their movements. I was 13 months old at the disease's onset, and it has steadily progressed, affecting more joints, as I aged. Because the disorder is so rare, treatment is more of an art than a science, and doctors are unsure how the disorder will progress and affect me in the future. Doctors have tried to slow its progression with intensive physical therapy, various drug therapies, and most recently surgery.

In my day-to-day life, my disability affects how I move. I am able to walk and stand for short periods of time, but mostly I use a motorized scooter. I have difficulty with tasks requiring fine motor skills, for example I write and type more slowly than the average person. Therefore, in the academic setting I use extended time on tests and note taking services. At home, I use devices for putting on my shoes, opening jars, even turning on lights. Additionally, I struggle with unexpected "flare ups," where any type of movement becomes too painful, and I require assistance with basic tasks.

My goal through this testimony is to share my experiences in preparing for the workforce. In doing so, I hope to highlight some of the obstacles facing young people with disabilities seeking employment and some ways these obstacles can be eliminated or minimized. As you will see, I benefited greatly from mentorships, self-advocacy and leadership training, structured internships, and an inclusive educational environment that understood as a young person with a disability I required a customized approach to integrate into the workforce.

EXPECTATIONS

As young people, we often rise to the expectations society sets for us, whether positive or negative. At a basic level, society needs to learn to have higher expectations for youth with disabilities. Youth with all types of disabilities should be expected to be successful in school, to be permanently employed, and to be active, contributing members of their communities. Higher expectations are a basic foundation for any other supports for people with disabilities. To meet these expectations, youth with disabilities need the same access to opportunities to grow and develop as any young person, but customized to their specific abilities. The path to permanent employment for people with disabilities should include:

- customized support in job seeking and career preparation services;
- self-advocacy training that teaches youth how to manage and accommodate their specific disability in the workplace;
- leadership training to compliment self-advocacy skills;
- opportunities to gain work-related experience through internships and community service activities that allow youth with disabilities to explore their talents and gain new skills in a supportive environment; and
- access to an inclusive education that teaches youth with disabilities skills that are marketable in the workforce.

Every person with a disability will have different strengths, different needs, and access to different resources, but the important thing is that every person with a disability is capable of being a contributing and valued member of the community. Society and employers should be flexible in bringing out the many talents of youth with disabilities and in making accommodations.

A little bit more about my background, I graduated from Lincoln-Way East High School in Frankfort, IL in 2007 in the top 3 percent of my class. I attended the University of Illinois at Urbana-Champaign, where I majored in English and Political Science, graduating in December 2010 cum laude. In August, I will begin law school at Northwestern University. Eventually, I plan to become a lawyer working in disability rights advocacy. I have an older sister who lives and works in Switzerland as a stock trader and analyst. My mother works as a Community Development Director in local government and my stepfather is an instructional designer for food safety training. I benefited greatly from my parents hard work, both are highly educated and work to offer their children every possible advantage in life. From the time I began preschool, my mother constantly battled to ensure I had the same opportunities as everyone else and never let anyone use my disability as an excuse to hold me back.

I wish I could say the experiences I will share with you are typical for youth with disabilities, but too often they are the exception. In part, much of my relative success has been due to the expectations set by my parents that pushed me to seek out opportunities that would make me competitive in the workforce. It was never a question that I would graduate college, attend law school, get a job, and eventually provide for my own family. My parents' expectations were the same for my sister and I; my disability did not diminish these expectations, it just changed the way I went about achieving my goals. My family's expectations helped me form the expectations I have for myself. These expectations are the basis for all my goals and give me confidence in pursuing new opportunities.

I experienced both high and low expectations from teachers during my educational career. Those with high expectations offered the most support in accommodating my disability and ensuring I was a full participant in the classroom. They were flexible and open to helping me make the most of my abilities. Teachers with low expectations were predictably less supportive. I had to work twice as hard in those classrooms to have the same basic access to learning, and often needed to continually educate these teachers about my disability and remind them of my accommodation needs. Often this resulted in my spending more time trying to accommodate my disability than learning. During college, I found much more consistent support because high expectations and equal access for students with disabilities is a large part of the campus culture and history at the University of Illinois at Urbana-Champaign. The disability services department works on behalf of the student to set up all accommodations, and students with disabilities are active in all aspects of campus life—from Student Senate, to Greek life, to adapted athletics. This type of culture meant I was able to focus fully on working towards my goals and had access to a variety of specialized resources to help me throughout my education and in seeking work experience for future employment.

In the workplace, when employers had high expectations of me, I was given more responsibilities and thus more opportunities to learn new skills. When employers expected very little of me, it was a struggle to receive meaningful projects. With my first internship at Odelson & Sterk, a law firm in Evergreen Park, IL, my boss, Burt Odelson, expected me to attend law school and someday be a practicing attorney, so he gave me a variety of projects to introduce me to the work of a lawyer and to help develop my research and writing skills.

ACCESS TO OPPORTUNITIES

In addition to high expectations, I received support in reaching my goals through opportunities to job shadow, perform internships, and hold part-time jobs. I was lucky that my mother worked outside the home in local government and was therefore able to provide me with a range of job shadowing opportunities and introductions. Beginning in junior high, I participated in job shadowing programs in the local government, where a group of students were able to observe the work of local leaders, ask them questions about their careers, and learn about the education and experience needed to attain these positions. Both of my parents also participated in "Take Your Daughter to Work Days" throughout junior high and high school where I had the chance to observe a typical day in a professional setting. This allowed me to observe and understand more about workplace cultures, how meetings are conducted, how employees interact with each other and their bosses, and more basically what is expected of an employee on a day-to-day basis.

These job-shadowing opportunities provided me with connections and confidence to find part-time jobs during high school to further develop my resumé. My first job was as a receptionist in a local bank. Finding employment through family and community connections made it much easier for me to transition into the workforce because I did not have to figure out how to "break the ice" about my disability, my

boss already knew me and any accommodations I might need. This allowed me to worry less about managing my disability in the workplace and instead focus on learning professional skills. Through my job as a receptionist at the bank and later as a receptionist at a real estate agency, I learned how to interact professionally with customers on the phone and in person, communicate with my supervisors and coworkers in a professional setting, and a variety of other soft skills like using fax machines and copier machines, clerical work such as filing and typing, dressing professionally, and managing a work schedule. Having part-time jobs during high school was also important for building a competitive resumé for college admissions. Additionally, it provided me with references and helped me develop a professional reputation for seeking internships in the future.

Having a job also taught me important independent living skills related to finances. When I started earning a paycheck, I opened a savings and checking account, and my parents taught me how to balance my checkbook, create a budget, and plan for future expenses. These basic skills started teaching me about responsibility and gave me a preview of adult life.

The next step in my preparation for permanent employment was seeking an internship. Too many students with disabilities do not seek out internships because they do not have access to supports to show them how to disclose their disability in a work environment or how to seek accommodations. Additionally, if there are low expectations of a student with disability in an educational setting, it is unlikely a mentor will push a student with a disability to seek an internship, job shadowing opportunity, or part-time job to further develop their work-related experience. I received guidance from my parents, my University's disability services department, and a structured internship program for people with disabilities on the importance of an internship and how to manage my disability in the workplace.

As mentioned, at my first internship at Odelson & Sterk I was fortunate to have a boss who cared a lot about my success and was flexible as I learned how I would need to accommodate my disability in a professional setting. He continually checked in to see how I was navigating the office and introduced me to a wide range of jobs and experiences. He gave me meaningful work so I could gain a holistic view of a lawyer's job. He pushed me to speak with the various attorneys' in the office so I could hear many different perspectives and get advice from a variety of sources. Successfully completing an internship in my field of interest raised the expectations I had for myself and renewed my confidence in seeking permanent employment as a lawyer. More importantly, the internship taught me the practical skills needed to reach my career goals and showed me the steps I would need to take in working towards these goals. This internship experience was essential for developing a professional network that helped me build a stronger resumé and provided professional references that helped me seek even more competitive internships and eventually apply to law school.

After my junior year of college, I participated in a structured internship program geared towards mentoring students with disabilities through the American Association of People with Disabilities (AAPD). This internship program provided training on self-advocacy in a professional setting. Through the program I was a congressional intern in Senator Durbin's office. This internship was the first job I held without the assistance of family or community connections, which meant I was responsible for communicating information about my disability and any accommodations I would need. AAPD's assistance was key in helping me navigate this new arena, they asked questions about my disability and necessary accommodations that helped me frame how I was going to communicate any issues with the Senator's office. Furthermore, they know a lot about the work environment on Capitol Hill and were able to give me advice about where I should go for assistance for disability-related concerns. AAPD also served as a resource for the Senator's office on how to create an inclusive environment for an intern with a disability.

Through job shadowing, part-time jobs, and internship experiences I gained more confidence in defining my career goals, but more importantly I learned skills to help me work towards these goals. I learned what is expected of an employee and how I can meet those expectations. I have steadily taken on more and more of the responsibilities of living independently as an adult as a result of these work experiences; and I have immense satisfaction in being a valued and contributing member of society.

SUPPORTS

I was able to gain access to various educational and employment opportunities, and perform successfully in these settings, because of the support of mentors and accommodations. Through family connections I had access to various types of law-

yers and a local judge whom I could seek advice from and ask career-related questions. These mentors provided guidance on what I should study during college, the importance of internships, and even on beneficial extracurricular activities. Through my internship with AAPD I gained access to mentors with disabilities, mentors active in the disability community, and peer-to-peer mentors. These mentors were able to offer me valuable perspectives on living successfully and independently with a disability. They further offered examples and strategies of how to request accommodations and even on specific accommodations that could make me more successful in the workplace. I continue to use these mentors as a resource in goal setting and working towards career goals.

I need fewer accommodations in the work setting than in the classroom, in part because I have benefited from the support of flexible employers and mentors who worked with me to design projects that would allow me to use my talents and abilities. Some of the basic accommodations I have used are flexible work times/the ability to work from home, limiting work tasks that required heavy lifting, and a place to park my scooter when not in use. In the future, I may make use of more assistive technology, such as speak-to-write programs that would alleviate the need for long hours of typing.

SELF-ADVOCACY AND LEADERSHIP TRAINING

Finally, self-advocacy and leadership training will further prepare youth with disabilities for permanent employment by teaching them how to communicate effectively about their disabilities and accommodation needs, while giving them confidence to find ways of using their talents and contributing to their community. Self-advocacy takes a lot of practice and the continued support of people who understand a person's specific disability and accommodation needs. During grade school and junior high my mother met with teachers and school officials on a regular basis to educate them about my disability and the accommodations I would need to have equal access to the classroom. She included me in these conversations and continually pushed me to advocate for myself, showing me how to communicate about my disability with teachers and which school officials to go to if I encountered problems. I also benefited from having the same disability resource aide/teacher from 3d grade through my graduation from high school, which helped with transitions between schools. Like my mother, she made self-advocacy a top priority, so by the time I reached high school I was able to communicate with my teachers and request disability accommodations on my own, only using her or school counselors when I met resistance. In college and in the workplace, therefore, I was more comfortable communicating independently about my disability and my accommodation needs because I had experience doing so in high school, and I knew where to look if I had questions about ways I could be a better self-advocate.

Moreover, the leadership training I received from community service and extracurricular activities reinforced my advocacy skills. I tried a variety of activities during high school, but focused most of my energy towards Student Council, Speech Team, and Key Club (a community service organization). I learned to work with my fellow students to make improvements to the school and compete in tournaments; my involvement in Student Council led to leadership positions on the executive board and eventually president. In college, I was largely involved in Student Senate and an international student organization called AIESEC, where I was a member of the executive board and the head of two committees. My experiences in high school and college taught me how to work in a collaborative environment, how to conduct efficient meetings, and even how to speak in front of large groups. These skills taught me leadership qualities to be a better self-advocate, and also provided me with marketable skills when I sought internships and other employment opportunities. I was able to be a fully participating member of all of these activities because there was a basic respect for my disability, and a willingness to make necessary adjustments to allow me to participate.

CONCLUSION

As you can see I benefited greatly from a variety of resources as I worked towards my career goals. The biggest resource was my parents' expectation of my success, which pushed me to work hard and seek out opportunities where I could use my talents. Their expectations and support helped me make use of employment, educational, and leadership opportunities. While my experiences are limited to my specific physical disability, the lessons apply to the entire disability community. People with all types of disabilities—intellectual, learning, sensory, physical, and mental health—can be permanently employed if there is a customized approach to their development and a basic willingness to support the growth of their talents and abilities.

ties. These approaches need to include access to an inclusive educational environment, self-advocacy and leadership training, mentorships, and opportunities to gain work-related experiences and skills.

As you address major employment and education legislation, I hope you will keep the specific needs of youth with disabilities at the forefront. My experience shows that youth with disabilities are more than willing to work hard if given the proper resources and support to succeed. There are resources out there for the disability community, but they need to expand so they work across systems and disability groups to reach more individuals. As it is, permanent employment for a person with any type of disability is still too often the exception rather than the norm because many in the disability community do not have access to the same resources I did. Access to a lot of these resources comes down to funding. Programs that contribute to the growth and development of youth with disabilities need adequate funding to ensure youth with disabilities have a good start to their lives and can become contributing members of society. The disability community has so much to offer as members of the workforce and members of society, but we need help breaking down barriers to our full participation.

I would like to thank the committee again for the opportunity to share my experiences and speak on such an important topic; it has been a great honor.

The CHAIRMAN. Well, Ms. Wallrich, thank you very much for a very profound statement. I left a couple of things out in my introduction of you, that you were a December 2010 graduate cum laude with a 3.84 GPA, on the dean's list five out of six semesters, university's James Scholar Honor Program. That's quite an accomplishment.

Ms. WALLRICH. I didn't sleep much during my undergraduate—

The CHAIRMAN. The most important thing, though, that I wanted to focus on was your senior thesis was entitled "Harry Potter and the War over Normal." And I happen to be a big Harry Potter fan. I've read all the books. I've listened to Jim Dale's tapes. I haven't seen the latest movie yet. But—

Ms. WALLRICH. Midnight tonight.

The CHAIRMAN. Would you please get me your thesis so I can read it?

Ms. WALLRICH. Definitely. I had a hard time getting it approved at first, because English majors sometimes like to be a little bit pretentious and only want you to talk about Jane Austin or Charles Dickens. But I feel like my thesis has been the most useful. I've had it brought up in every interview I've ever had, and it's been a great avenue for explaining disability to people who have no familiarity with the disability world, because everybody has some familiarity with Harry Potter.

The CHAIRMAN. Well, I haven't read it, but just from the title of it, I have kind of a perception of what it's about, having read all the books and being a big fan of Harry Potter's. I'd like to read it. You'll get that to me, right?

Two things, Ms. Dagit. Let me get back here to your testimony. There was something here that I wanted to especially focus on.

What you talked about:

"The medical model of disability is still prevalent in our country as evidenced by the manner in which Americans with disabilities are depicted through our language choices, media portrayals, fundraising activities, and program eligibility requirements. People with disabilities are routinely characterized as having some sort of deficiency and that their condition is inherently negative and needs to be ameliorated, and that the

agent of remedy is some type of health professional's intervention."

You go on:

"Before individuals with disabilities are eligible for SSI or SSDI, they must declare they cannot work. This is the ultimate example of a deficit model approach and is bad policy if we want individuals with disabilities to be a part of the workforce."

Could you develop that a little bit more, because I think you're onto something there, and it's a mindset that we've tried to change through education. And you talk about people that—when you came to work, and they saw you, they said—well, maybe you didn't fit in or something like that. I've seen that so many times.

But those of us who have been here a long time—when we started with IDEA—and I remember when my daughters were young and in school, and the first child that came into class with a disability—I just remember that so well. And I remembered as they went through school, the good thing about it was not just for the kids with disabilities to be mainstreamed, but the kids without disabilities to be able to associate and to grow up together, to play together, to associate, so that when they entered the workforce, it was not a big deal to be working next to someone with a disability.

Well, that's back in the 1970s. And so we've come all this way. I'm just somewhat surprised, I guess, or dismayed—I don't know what—to find that these attitudes are still out there, even though we've had pretty much full integration and mainstream kids with disabilities in our schools for all these years.

Ms. DAGIT. Right.

The CHAIRMAN. So how do we start overcoming this medical model?

Ms. DAGIT. I think that's a great question. And I think part of the challenge is that the decisionmakers for jobs are not in that generation. They're not in Amelia's generation, and they're not often yet the business owners that are deciding who to hire. And so we need to work on attitudes with people who didn't grow up with peers who had a disability.

There was a public service announcement. I always forget the name of it. But there's a woman rolling through a workplace, and she's noting all the oddities and peculiarities about the people that work with her. And they don't have a disability, but they like to play with the copier or they dress odd or something like that. I think public service announcements help.

I can also tell you that we really need to encourage the media to do a better job of portraying people with disabilities. Unfortunately, for better or for worse, reality shows have helped a lot. My husband and I joke about the fact that there's a reality TV show that's been very popular for years called "Little People, Big World" that are two short-statured parents and their kids. And although we don't look anything like them, we frequently get asked for their autograph.

What it's really helped with is that people exposed to individuals with disabilities in positive media portrayals that are not on the Sunday Living section and designed to make people cry and say,

“There but for the grace of God go I” but instead are talking about some of the successes that have been noted by this panel and just talk about them as business owners and as regular, everyday people. I think the more exposure people get to seeing a person with a disability doing normal, everyday things will help a lot.

For employers, I can tell you that what we also do, very briefly, is something called Just in Time Training. It was put together through Cornell University. It’s very inexpensive. It would be accessible, Senator Enzi, to the constituents in Wyoming, and it’s not at all expensive. And it has different modules, so it’s getting ready to interview. It’s accommodation. It’s using the proper language. So there are really great no-cost and low-cost resources out there that can help baby boomers who didn’t grow up with someone with a disability in their classroom get new knowledge and new language and feel more confident.

The CHAIRMAN. As you know, we have the provision of reasonable accommodations. We’ve had a pretty good history of that—court cases and things like that—we have a good background on what is expected of employers for reasonable accommodations. Do you think that employers, by and large, understand that? And are they cognizant enough of what they need to do to provide those reasonable accommodations? Tell us about Merck. I mean, for example, what did Merck do?

Ms. DAGIT. Well, we were looking at it through a variety of lenses. One, we wanted to make sure that when someone requested an accommodation for a disability, whether it was the individual themselves or their manager, that we responded very quickly and appropriately. And, as Kathy said, it’s a productivity tool.

There’s a real financial enabler for this, for any business of any size. If you can help people be safer so they don’t end up becoming injured at work, if you can return people to work more quickly after the advent of a health condition, and if you can avoid having people go on public assistance, it saves a lot of money and allows valuable talent to stay in your workforce if they have a health event or challenge.

At Merck, what we did is we simply put in a 1-800 number and advertised it very broadly and said, “If you have a question or a need about accommodation, here’s the number to call, and we guarantee you that we’ll respond in no more than 14 days.” In most cases, we could do it within 24 to 48 hours, because most of them are simple. But for things that take longer, like some of the requests I’ve needed to make with door openers, they’ve got to order it and install it.

I think an employer of any size can do this. It’s pretty rare, if you go to the Job Accommodation Network and look at all the accommodations provided, for them doesn’t cost very much at all. And, often, they can be gotten from public agencies like the vocational rehab.

The CHAIRMAN. I’ve gone way over my time. I have to yield to Senator Enzi. But on reasonable accommodations, about the door openers, we have found that in many cases, the reasonable accommodations provided for a person with a disability actually helps everybody.

Ms. DAGIT. Right.

The CHAIRMAN. Not just the person with a disability. It helps productivity. It helps people move around better, have better accessibility, that type of thing. Has that been your experience?

Ms. DAGIT. Excellent point.

The CHAIRMAN. Thanks.

Senator Enzi.

Senator ENZI. Thank you, Mr. Chairman.

And, Ms. Wallrich, I think you're going to make a fantastic attorney. I don't say that about many people.

Ms. WALLRICH. Thanks.

Senator ENZI. I always try to encourage them to go into accounting.

Ms. WALLRICH. Oh, my sister's the one good at math, not me.

Senator ENZI. Oh. But both you and Ms. Dagit spoke about how the individual education plan, the IEP process, was particularly instrumental in your education experience, and that you valued the inherent inclusiveness of IEPs. Although IDEA authorization is further down the road, what recommendations can you provide relative to that IEP process for the committee to consider? And I'd ask that of Ms. Dagit, too.

Ms. WALLRICH. Well, really, it's more about a culture. I mean, IEPs—you have maybe an annual review, and you sit in the room with your teachers, the head of the special education department, and your physical therapist and your resource aid. And everybody talks about, "OK. What accommodations do you need next year? Did you have any problems this year?" It's a once-a-year thing, whereas a lot of people with disabilities—you're going to encounter different issues every day.

And, you know, for me, particularly, my disability can change unexpectedly. So I think the IEP is a good basis for starting a conversation on what is going to be needed in the classroom. But it also serves as a nice, formalized process to fall back on when you have teachers that are resistant or just not getting it, basically.

I had great success at the University of Illinois, because they just have a fantastic disability resources department. It's world renowned. It was started right after World War II when a lot of veterans were coming back with disabilities. And the whole culture there is preparing students for the next step. It's not about just getting through day-to-day life, making sure that you have a note taker in class or that you have extended time on tests. It's about, how are you going to use your classroom experience to go to the workforce.

There needs to be a concentration on that transition, because that's where a lot of people start to fall through the cracks—is because maybe you do really well in the classroom, and then you graduate high school and you don't know what to do next. You don't have that day-to-day place to go for a resource.

At University of Illinois, you know, I'm still in touch with my disability services advisor. We're friends on Facebook, and she asks how I'm doing, if I need help transitioning my accommodations to law school. And, you know, the services department there is so big, it has its own building. And she asks—she continually sends out job announcements and asks how I'm doing during a summer program—that I know I have that constant support, even if I am not

physically on campus. Or now that I'm an alumna, I know that they care about my development and my transition to the next step, so that I can start out the strongest possible at each step.

It's hard to catch up once you get in a place and there hasn't been that attitude or culture of, OK, we're going to work to bring out your abilities. We know we're going to have to do that a little differently than perhaps we do with a student without a disability. I think there needs to definitely be a lot of focus on the transition, because that's the place where you find a lot of setbacks.

Ms. DAGIT. I would agree with everything that Amelia said and—so I'm speaking as a parent. But I would say that my concern with IEPs is twofold. One, it seems to be primarily aimed at students performing sufficiently well on standardized tests rather than getting them ready for competitive employment. And it also can be quite stigmatizing, depending on how it's handled, because the students are actually tracked in some cases when they have an IEP and are not seen as college-bound.

And so that's a really huge problem, just that whole attitude of what an IEP is for. An IEP should be for people to reach their full potential and with the end result in mind that they are going to be able to fully participate. And that means that it should also include support to participate in socialization. When I was in school, I was student body president. I was in the Model United Nations. I competed in public speaking. And, like Amelia, I had a really strong mom. It was A's or nothing.

I liked the socialization aspect, because I spent a lot of time in the hospital, and when I got out of that kind of—what I thought of as incarceration and I got to go to school, I really loved to do the social aspects. And if I look back at what prepared me to work, it was public speaking skills. It was directing plays. It was understanding Model United Nations. I don't see IEPs encouraging students to do that.

I do think the Rutgers Future Scholars Program, which starts at seventh grade and is a whole person approach, is a great model, as well as to the point that Amelia made, Career Opportunities for Students with Disabilities, where the career placement office and the disabled student services partner to help the student get ready for employment. And that can be replicated on any campus of any size.

Senator ENZI. I want to thank you both. I've used up all my time, too. But you've just been a wealth of information on this, and I hope that we can—as we get into the actual drafting of the legislation, we can count on both of you as a resource on that, too—phenomenal, phenomenal information. I do have a whole list of other questions, and I would submit some questions to you in writing, too. If you'd be so kind as to answer those, I'd appreciate it.

Ms. DAGIT. Absolutely.

Senator ENZI. Thank you.

The CHAIRMAN. Thank you, Senator Enzi.

Ms. Wallrich, can I just come back to you a second here? You talked a lot about in your written testimony—and you mentioned it also here, too, verbally—about expectations. You said here in your testimony,

“As young people, we often rise to the expectations society sets for us, whether positive or negative. At a basic level, society needs to learn to have higher expectations for youth with disabilities.”

And then you go on to talk about some other things here that would lead to that.

Who was it that said something about IEPs—or the testing, because we’re involved in redrafting the ESEA right now—and this whole idea of testing but not preparing people for competitive employment. Who brought that up—who said that?

Was that you, Ms. Dagit?

Ms. DAGIT. Yes.

The CHAIRMAN. Tell me more about that. What did you mean by that?

Ms. DAGIT. The IEP—the way it’s measured in terms of whether or not it’s being successful is the proficiency on the standardized testing. They don’t have the IEP with a goal of, your child wants to do something in sports or wants to be an attorney. And, therefore, this is where we should emphasize in addition to the standardized tests. So if they wanted to be an attorney, for instance, you might want to make sure they’re in public speaking. It’s beginning with the end in mind, and the end not being their score on the test.

The CHAIRMAN. College-ready, right? Excuse me.

Ms. DAGIT. Does that make sense? I wish I could be even more clear about that. But you really hear it in terms of what their worry is and their concern that the way they’re being measured in the school is by the scores versus what the parents and the student themselves feel like the school is doing to prepare them for employment.

The CHAIRMAN. Well, I think—one thing Senator Enzi and I have been working very hard on in working together on reauthorizing ESEA is to make the goal of it that every child that graduates from secondary school be career- and/or college-ready. Did I say that right? Career- and college-ready.

And so I think you’re onto something there, that somehow we haven’t done that. And especially when it comes to IEPs, which you said before—sort of more of a limitation than it was as a kind of a pathway forward for high expectations.

Ms. Wallrich, I really agree that somehow we’re not challenging young people with disabilities enough.

I always call it about giving them a kick in the pants.

Ms. WALLRICH. Exactly. You spoke about your mother. It was straight A’s or nothing. That was my household, too. And I can speak a little bit about my IEP, that when you go in there, they’re saying, “Well, do you want to go to community college?” And I’m sitting there thinking, “I’m top 3 percent of my class. I’m not going to community college. I have higher plans for that.” You know, I participated in student council as well and speech team. A lot of times, they’re like, “Well, why don’t you drop that, you know? You need time for physical therapy services.” And my thought and my mother’s thought—well, shouldn’t those services revolve around what I’m expecting to do in high school, not the other way around?

And so there’s definitely—that IEP limits you to—well, this is the path that we think people with disabilities should go, not what

I want for my life and what I expect out of my future. And sometimes it would be a real struggle and very disheartening to be in those meetings and hear, “Well, this is what we think you should do.” And I’m lucky that I had a mother saying, “Well, that’s not what we’re doing.”

The CHAIRMAN. Well, I’m glad you had a mother like that and you had a mother like that. But what about kids that don’t have that kind of family support service? And there’s so many of them out there. What do we have—what needs to be in place for those kids that don’t come from that kind of a—maybe a well-structured family or a family that has some means or that are involved with their children? What about those kids? What about those kids that don’t have the kind of mothers and fathers like you had? What do we do for them?

Ms. WALLRICH. I think you definitely touched on this, about being involved in student council. Being involved in your school is not being in class every day. Being involved in your school is being involved in sports or being involved in extracurricular activities. And I went to a very large high school, so there were a lot of options.

But many times when I was in an activity, I was the first student with a disability who had ever been in that activity. So I needed to spend time educating those teacher advisors on my disability and how I would interact in community service activities. And, oftentimes, what I ended up choosing and the activities I ended up choosing were where the teacher advisors were also teachers I had in class, so that I didn’t have another barrier to full participation.

I think there definitely—in the IEP, maybe that should be another section on the form or something that says, “How do we make this person part of the classroom or outside of the classroom as well?”

The CHAIRMAN. Well, anything else, Ms. Dagit, do you have anything to add before—

Ms. DAGIT. I was just going to say with all the social networking tools that are available out there, I think one of the things we could do, since especially teenagers starting in middle school are very interested—we could do outreach to students through those kinds of media and perhaps provide them with mentors, like many of the people in this room, in this hearing here today, who would be willing to be their remote mentors and coaches and cheerleaders. So that might be a possibility that would be an innovative solution.

The CHAIRMAN. Well, thank you very much. I want to thank you for being here today. And I also want to thank the attendees who are here with the National Council on Independent Living Conference.

We’ll leave the record open for 10 days. I would just say that as we’ve heard from a number of witnesses, while there are many success stories in the area of employment for people with disabilities, we still have a way to go before our public policies consistently deliver the message that competitive employment is the expected outcome for young people and all citizens with disabilities.

I look forward to working with my friend and our Ranking Member, Senator Enzi, on a bipartisan basis to advance these goals and these efforts so that we can get that employment rate up for people with disabilities.

Thank you all very much. And with that, the committee will stand adjourned.

[Additional material follows.]

ADDITIONAL MATERIAL

THE CORPORATION FOR ENTERPRISE DEVELOPMENT (CFED),
JULY 19, 2011.

Hon. TOM HARKIN, *Chairman*,
Hon. MIKE ENZI, *Ranking Member*,
Committee on Health, Education, Labor, and Pensions,
428 Senate Dirksen Office Building,
Washington, DC 20510.

RE: Letter of Record: promote asset limit reform in the Supplemental Security Income program to enable employment for people with disabilities

DEAR CHAIRMAN HARKIN AND RANKING MEMBER ENZI, The Corporation for Enterprise Development (CFED) thanks you for holding the July 14 hearing on employment for persons with disabilities. CFED is a national nonpartisan nonprofit organization dedicated to expanding economic opportunities for all Americans. CFED believes that Congress and the Administration should provide American households pathways to financial security and self-reliance through programs and policies, and the community of people with disabilities is no exception.

We concur that the work participation rates among persons with disabilities is entirely too low and support policies that encourage people with disabilities to enter or remain in the workforce. However, we believe that Governor Tom Ridge, chairman of the National Organization on Disability, brought up a valid point during the hearing that is often overlooked: that we must address the disability benefit structure in America.

Many people on disability desire working, paying taxes, and serving as full participants within their communities, but are discouraged by the asset limits of the public benefit programs that they often rely on, some entirely. This is particularly true in the case of the Supplemental Security Income (SSI) program.

The SSI program, administered by the Social Security Administration and providing cash-assistance to more than 8 million Americans, has asset limits that discourage its recipients to open a bank account, work and save because, with few exceptions, individuals cannot hold more than \$2,000 in total assets and couples no more than \$3,000. These limits have not been adjusted in more than two decades (since January 1, 1989).

SSI asset limits:

- Discourage many young people with disabilities from securing a first job, to gain experience which will likely lead to full-time work and employment with benefits;
- Force many to stay unbanked and/or discourages participation in employer-sponsored retirement plans to remain eligible for SSI and Medicaid; and
- Punish individuals with disabilities who are currently working who save for a future time when they may be unable to work. If their medical condition or disability worsens in the future, they cannot save now for a later time as they will be unable to work but no longer eligible for SSI.

These asset limits leave SSI recipients vulnerable to predatory lenders and deeper poverty, and requires them to ultimately rely on greater government assistance. Given the high levels of asset-poverty (insufficient savings to cover 3–6 months of expenses without a steady income) within the disability community, CFED advocates and promotes policies that improve the financial stability of people with disabilities.

CFED asks Congress to propose reforms in the SSI program to address this unfortunate but widespread and common issue for people with disabilities. We recommend the following reforms which are contained in the SSI Saver's Act (H.R. 2103):

- **Raise the asset limit test to \$5,000/\$7,500 for individuals/couples and index the limit to inflation:** Allowing SSI recipients to have a slightly higher level of savings provides them with a buffer against one-time emergencies; without this modest buffer they are vulnerable to predatory lenders, deeper poverty, hunger, and potential homelessness, and will ultimately require greater government assistance. It would also encourage households receiving SSI to open savings accounts and participate in the financial mainstream. Indexing the limits preserves a modest level of personal savings.

- **Exclude retirement accounts, education savings accounts and savings bonds from the asset test:** Exempting retirement accounts from the asset limit will allow SSI recipients the chance to accumulate modest savings and ultimately

be less dependent on government support for survival during retirement. Excluding special savings accounts such as 529s and Coverdell ESAs will allow recipients to save for their education, which will improve their earning potential over their lifetimes and thus their financial stability. Excluding savings bonds enables individuals with disabilities to receive gifts from families and personal investments in a safe and accessible vehicle now able to be purchased on tax forms.

Thank you, Chairman Harkin and Ranking Member Enzi, for your commitment to increasing the workforce participation rates of people with disabilities. Please recognize that without changes in the asset limit test, people with disabilities will be hindered in their efforts to open a bank account, save for the future and pursue employment.

Sincerely,

CAROL E. WAYMAN,
Director of Federal Policy, CFED.

RESPONSE TO QUESTIONS OF SENATOR ENZI BY THE HON. KATHY MARTINEZ

Question 1. Senator Harkin has set forth a goal of increasing the number of persons with a disability participating in the labor force from 4.9 million to 6 million by 2015. How does the Department of Labor plan to do its share in increasing the number of employed persons with a disability?

Answer 1. DOL's Office of Disability Employment Policy (ODEP) provides national leadership on developing and influencing disability-related employment policy and practice affecting the employment of people with disabilities. It coordinates the Department's efforts on disability employment by working with other DOL agencies such as the Civil Rights Center, Employment and Training Administration, the Office of Federal Contract Compliance Programs, the Office of Workers Compensation Programs, the Veterans' Employment and Training Service, the Wage and Hour Division, and the Women's Bureau. To increase labor force participation among persons with disabilities, ODEP addresses three key factors that contribute to the under employment of people with disabilities:

1. Low expectations and negative perceptions reflected in discriminatory policies and practices;
2. Lack of access to training, employment, and transition services; and
3. Scarcity of employment supports and accommodations.

Although many of ODEP's efforts are cross-disability and multi-faceted, ODEP concentrates significant effort on populations that face particular challenges to entering or remaining in the workforce such as youth, culturally or socio-economically disadvantaged groups, and workers disabled later in life through accidents, injuries or aging.

CHANGING EXPECTATIONS, PERCEPTIONS AND PRACTICES

To counter low expectations and negative perceptions that may lead to discriminatory policies and practices, ODEP uses multiple strategies. For example, ODEP conducts an ongoing public information campaign (Campaign for Disability Employment) to increase awareness of the benefits of employing people with disabilities. The Campaign for Disability Employment reaches millions of Americans, including, but not limited to, employers and the workforce development system. ODEP also conducts public outreach activities during National Disability Employment Awareness Month (NDEAM) to highlight the contributions made by workers with disabilities. First established by law in 1945 to raise awareness about disability employment issues, NDEAM is recognized each October through a Presidential Proclamation.

ODEP also aims to change the misperception that many business owners have about the costs of employing people with disabilities by developing and widely disseminating the "business case" for employing people with disabilities. By working with a business school, ODEP intends to strengthen the existing "business case" and provide the most reputable information available to demonstrate that employing people with disabilities makes good business sense.

ODEP's Add Us In initiative also aims to change negative perceptions of individuals with disabilities and the resultant policies and practices that deprive them of the opportunity to contribute to the economy. The Add Us In initiative specifically focuses on small businesses and brings together diverse organizations to collaborate on developing replicable strategies for increasing employment of people with disabilities. In September 2010, ODEP awarded four 2-year cooperative agreements totaling more than \$2.4 million to four consortia in Kansas City, MO; Los Angeles, CA;

Bridgeport, CT; and Norman, OK. A second round of 2-year cooperative agreements totaling almost \$2.2 million were awarded in September 2011 to four consortia in Chicago, New York, Oakland, CA and Rockville, MD. One of the high-priority goals of the Add Us In Initiative is to create business engagement models in these communities that can be replicated on a national scale.

Another way to change perceptions and practices is for the Federal Government to set a good example as a model employer. Towards this end, ODEP works collaboratively with the Office of Personnel Management (OPM) and other Federal agencies to increase employment of people with disabilities throughout the Federal Government (for further discussion see #2 below).

ENHANCING ACCESS TO TRAINING, EMPLOYMENT AND TRANSITION SERVICES

The Nation's workforce development system provides the training, employment, and transition services. It is essential that these services be fully available to and usable by people with disabilities. Toward this end and in order to realize Secretary Solis's vision of Good Jobs for Everyone, including persons with disabilities, DOL implements a variety of efforts to increase the accessibility of the workforce development system.

For example, DOL's Civil Rights Center (CRC) enforces civil rights laws and concentrates its efforts on identifying potential systemic discrimination, including disability-based discrimination, within the workforce system. CRC conducts reviews to ensure that States and local areas are complying with requirements to identify statistically significant differences in participation or selection rates and to investigate whether such differences appear to be a result of systemic discrimination.

CRC also provides technical assistance on nondiscrimination and equal opportunity issues, including disability-related issues, to Equal Opportunity (EO) Officers, EO staffs, and workforce system administrators from across the country through its annual National Equal Opportunity Training Symposium. It delivers webinars on disability-related topics and one-on-one technical assistance to EO Officers, officials and staff members of other DOL and Federal agencies, and members of the general public.

To further increase the availability and use of the workforce development system by people with disabilities, DOL has implemented the Disability Employment Initiative (DEI) grant program, jointly funded by the Employment and Training Administration (ETA) and ODEP. ETA administers the grants and ODEP convenes grantee meetings and manages the contract that independently evaluates the initiative. DOL awarded \$21,276,575 to 9 States under the DEI in September 2010, and another \$21,166,560 to 7 States in September 2011. The goal of this initiative is to improve education, training, and employment opportunities and outcomes for youth and adults with disabilities who are unemployed, underemployed, and/or receiving Social Security disability benefits. To meet this goal, DOL provides technical assistance to grantees and to the public workforce system to expand its capacity to serve people with disabilities. Grantees are required to connect with the Social Security System and must also coordinate with a broad range of State and local, public- and private-sector partners to leverage resources and create systems change. DEI grantees are also required to become Employment Networks (ENs), which provide training, employment-related and supportive services to Social Security beneficiaries under the Ticket-to-Work program and receive payment from the Social Security Administration (SSA) only if the "Ticket Holder" (beneficiary) becomes employed.

Research shows that individuals receiving SSI and SSDI benefits already use the workforce development system and suggests that the types of services offered by ENs may improve the employment outcomes of all individuals with disabilities. For these reasons, ETA and ODEP recently issued a joint Training and Employment Notice to encourage all State workforce agencies, local workforce investment boards, and One-Stop Career Centers to become ENs. ETA has also been working with SSA to develop tools and implement policies and procedures to help workforce system entities become ENs including a new initiative funded by SSA that provides intensive technical assistance to the public workforce system. The number of public workforce entities serving as ENs increased by approximately 37 percent from 2010 to 2011 and currently totals 124.

Another important means of enhancing the workforce system's capacity to help customers with disabilities (and other challenges to employment) navigate the array of available services and resources is by providing training and technical assistance to the workforce system. Workforce3One, an interactive communications and learning platform that is ETA's primary vehicle for delivering on-line technical assistance to the public workforce system, includes a Disability and Employment Community of Practice page with easy access to disability employment related topics, resources

and best practice information. In addition, “Disability” has been added as a “super search” category to make it easier for users to find disability-related information on Workforce3One.

Additional DOL efforts to increase the availability and usability of the workforce development system for people with disabilities focus on equipping youth, including youth with disabilities and the systems that serve them, with knowledge, skills and abilities to help them succeed in the jobs of the future. For example, through the National Collaborative on Workforce and Disability for Youth (NCWD/Youth) funded by ODEP, the Department provides technical assistance to State and local public workforce systems to assist youth with disabilities to become economically self-sufficient through mentoring, training, educational opportunities, and jobs with career pathways. Also, an eight-day training curriculum, developed to increase the capacity of youth service professionals to effectively serve youth with disabilities, has been provided to youth service professionals in Chicago, Albuquerque, Boston, Maryland, and requested by many others.

ODEP’s Individualized Learning Plan (ILP) research and demonstration project team has provided technical assistance to State-level officials responsible for developing and administering policies related to students’ transition from secondary school into post-school education and employment. Another component of ODEP’s technical assistance has included educating policymakers and practitioners on the differences and impact of “entitlement” policies that govern provision of services in secondary school and the “eligibility” policies that are present in college and employment settings.

In addition, ODEP and NCWD/Youth have worked closely with WIA-funded youth programs, including Job Corps and Youth Build, to assist them in enhancing outcomes for youth with learning disabilities and mental health issues. In Fall 2011, NCWD/Youth and ODEP are planning to deliver a series of webinars on increasing the number of youth with disabilities in pre-apprenticeship and apprenticeship programs.

Moreover, ETA and ODEP recently issued a joint Training and Employment and Guidance Letter “Increasing Enrollment and Improving Services to Youth with Disabilities,” to provide information and resources to youth service providers on promising practices and successful strategies that promote the enrollment, education, training, and employment outcomes of youth with disabilities.

INCREASING AVAILABILITY OF EMPLOYMENT SUPPORTS AND ACCOMMODATIONS

A number of ODEP’s efforts strive to change policy and practices that will ensure that critical employment supports and accommodations are available to enable workers with disabilities to be fully productive and contributing workers. ODEP funds the Job Accommodation Network, which provides expert and confidential guidance on workplace accommodations and disability employment issues to employers and employees with disabilities.

ODEP also focuses on promoting workplace flexibility in the type of job, time, and place of work to shape the jobs and work environments to maximize the productivity of workers with disabilities. ODEP sponsored-research suggests that workplace flexibility strategies, including customized employment, may help individuals with significant disabilities succeed in integrated employment. ODEP is now exploring the use of such workplace flexibility strategies for workers who acquire disabilities through accidents, injuries and/or changes in health, including those due to aging. This fall, ODEP will implement an employer pilot demonstration project that will focus on using flexible workplace strategies to retain older workers with disabilities. ODEP will also conduct research on how workplace flexibility can be used to retain aging workers employed in the health care sector and by community colleges.

To increase the labor force participation of people with disabilities, ODEP also works to improve accessible technology. ODEP promotes universal design in information technology and promotes increasing the availability of assistive technology in the workplace to benefit workers with disabilities. To advance these twin goals ODEP awarded a contract that enables ODEP and the Assistive Technology Industry Association’s Accessibility Interoperability Alliance (ATIA/AIA) to work together to improve the availability and usability of *emerging* technologies, such as Web 3.0 and 3D Internet technologies.

This fall, ODEP will develop and implement a comprehensive plan to make workplace technology accessible. Among other things, ODEP is working to establish a means of identifying and validating core competencies that can be used to certify professionals involved in the field of accessible technology. ODEP will also conduct research into how employers are using the Assistive Technology Act to support em-

ployment and develop technical assistance to enable States to use it more effectively.

Question 2. How do you think the Federal Government can be a model employer for individuals with disabilities?

Answer 2. The Federal Government can become a model employer for individuals with disabilities by creating a workforce that truly reflects the diversity of the population. Last year's Executive Order 13548 articulated the President's commitment and charted the course for the Federal Government to employ an additional 100,000 people with disabilities within the next 5 years. It also required Federal agencies to work together to develop and implement action plans that included performance targets and numerical goals to improve their hiring of people with disabilities, and imposed reporting requirements to ensure accountability.

ODEP is working closely with OPM and other Federal agencies to provide them with the information and tools they need to achieve their goals. A few strategies that ODEP believes will position the Federal Government as a model employer for people with disabilities include:

- Implementing centralized accommodation funds that pool agency resources to reduce the financial impact on individual office budgets;
- Training all hiring managers and all those involved in the process on hiring policies and processes including Schedule A and other hiring authorities as well as on reasonable accommodations policies and procedures;
- Expanding the use of internships, fellowships, and training and mentoring programs, such as the Workforce Recruitment Program and Project Search;
- Utilizing the Office of Personnel Management's (OPM) shared list of qualified job candidates with disabilities (i.e., the "Bender" database) to hire eligible individuals through Schedule A appointments.
- Adopting practices to return-to-work Federal employees who have sustained disabilities as a result of workplace injuries or illnesses, such as those identified through the Protecting Our Workers and Ensuring Re-employment (POWER) Initiative, a joint effort of ODEP and DOL's Office of Workers Compensation Programs;
- Expanding the use of workplace flexibility and the provision of reasonable accommodation to retain, enhance and maximize the productivity of older workers as they acquire age-related disabilities, as well as employees with disabilities as their health changes with age;
- Leveraging employee resource groups (ERGs) as tools to empower and develop an engaged workforce; and
- Creating and maintaining a welcoming, safe and supportive work environment by accounting for the needs of employees with disabilities in emergency planning.

Also, in this increasingly knowledge- and technology-based workplace, it is critical that all electronic and information technology are accessible, interoperable and usable for all—including technology used by applicants to find and seek jobs with the Federal Government. As the Nation's largest employer, it is important that the Federal Government demonstrate a commitment to fully including people with disabilities in its workforce.

Federal agencies can best be engaged to produce results by sharing knowledge about effective strategies for recruiting, retaining and advancing people with disabilities. Towards that end, OPM and ODEP are building a Community of Practice (CoP) Web site, eFedlink.org, for Federal disability program managers and selective placement managers to share information and promising practices with their peers.

INTERNAL DOL EFFORTS

In addition to coordinating with OPM and assisting other agencies to meet their disability employment goals, the Department's own commitment to a qualified, diverse, and inclusive workforce remains at the forefront of our recruitment and hiring strategies. DOL's outreach efforts include activities at colleges and universities with a diverse population; local, State, and national organizations; and other targeted recruitment that promotes Departmental opportunities for people with disabilities and our valued veterans.

The Department's national recruitment team, comprised of six regional recruitment coordinators and four recruitment policy coordinators, including a disabled veterans' employment program manager in the Human Resources Center (HRC) is fully versed on special hiring authorities, particularly Schedule A, veterans' hiring authorities and recruitment of people with disabilities. The HRC recruitment policy coordinators work with each DOL agency to integrate the plan for the employment of people with disabilities, including veterans with disabilities, into the overall Departmental recruitment strategy.

The Department has worked for many years to establish relationships with local, State, and national disability organizations that advocate on behalf of and work directly with people with disabilities. In response to the Executive Order, the national recruitment team will intensify and expand its targeted strategies and lead an effort for the Department's outreach to such organizations as One Stop Career Centers, State Vocational Rehabilitation Agencies, Centers for Independent Living, disabled veterans programs and others. The national recruitment team will develop and implement a national train-the-trainers program to educate DOL leaders as well as advocates in the disability community about the special hiring authorities, including Schedule A and veterans' hiring authorities.

Question 3. Please identify specific examples of where the Federal Government can remove regulations and burdens for private employers to assist in increasing employment levels overall.

Answer 3. Department of Labor regulations ensure a level playing field for firms following our Nation's labor laws so that they do not face unfair competition to maintain employment while following the law. The Department recently completed a review of its regulatory agenda following E.O. 13563, which requires regulations to be: (1) cost-effective and cost-justified; (2) transparent, allowing for public participation; (3) coordinated and simplified; (4) flexible, reducing burden and allowing for freedom of choice for the public; (5) science-driven; and (6) reviewed, updated, modified or withdrawn, as appropriate. In the Final Plan for Retrospective Analysis of Existing Rules published on August 23, 2011, the Department identifies examples of burden-reducing review projects. Access DOL's Final Plan at: <http://www.dol.gov/regulations>.

Question 4. How have stimulus projects provided under the American Recovery and Reinvestment Act increased employment of individuals with disabilities?

Answer 4. The Employment and Training Administration collects data on the number of WIA program exiters with self-reported disabilities and employment outcomes; however, ETA's does not disaggregate the data between ARRA-funded projects and regular WIA formula grants. Similarly, the WIA nondiscrimination regulations enforced by CRC require the workforce system to collect data on individuals with disabilities who received services, but this data is not disaggregated by funding source. Therefore, we do not know how many people with disabilities were served with ARRA dollars specifically. Overall, in 2009 4.2 percent of WIA exiters were adults with self-reported disabilities, and 12.9 percent of WIA exiters were youth with self-reported disabilities. We believe that it is likely similar percentages were served with ARRA funding in the WIA Adult and Youth programs.

Question 5. Has the number of persons with disabilities employed since February 2009—the passage of the stimulus bill—increased or decreased?

Answer 5. Disability statistics have only been available since June 2008 when questions were added to the Current Population Survey (CPS), making it difficult to compare the effect of this most recent recession on employment to the effects of previous recessions on employment. According to BLS, (<http://www.bls.gov/webapps/legacy/cpsatab6.htm>) the proportion of persons with a disability who were employed began declining in September 2008, and since February 2009 the employment rates for persons with disabilities have followed that previous pattern.

BLS also advises that because seasonally adjusted data currently are not available for this group, comparison of same month employment-population ratios (the proportion of a population group that is employed) can provide a clearer picture of changes in the employment situation of persons with disabilities. The employment-population ratio of persons with a disability was 17.7 percent in August 2011, down from 18.4 percent in August 2009.

Question 6. The U.S. Department of Labor has advocated passage of the Employee Free Choice Act (EFCA). Please provide examples of how EFCA can boost the employment levels for persons with disabilities.

Answer 6. The Obama administration continues to strongly support proposals such as the Employee Free Choice Act which provide all workers, including workers with disabilities, with a voice in the workplace. Strong unions are a key to a strong economy and help provide a sure path to a secure middle class job that pays higher wages, and provides flexibility and benefits like paid leave, child care, education assistance, and retirement security.

Question 7. President Obama's Executive Order 13563 requires executive agencies to identify regulations that are outdated, outmoded, inefficient, and burdensome.

What regulations will the Department of Labor specifically seek to end that would enhance job creation, particularly for individuals with disabilities?

Answer 7. As discussed in response to question 3 above, the Department has identified several burden-reducing regulatory projects. The efficiencies created by these regulatory modifications may benefit individuals with disabilities as well as other workers.

RESPONSE TO QUESTIONS OF SENATOR ENZI AND SENATOR CASEY BY
GOVERNOR TOM RIDGE

QUESTIONS OF SENATOR ENZI

Question 1. In your opinion, how well-aligned are the career, education, and training programs that NOD accesses to provide coordinated services for these individuals?

CIVILIAN PROGRAMS

Answer 1. Lack of alignment and coordination between the agencies that provide services to Americans with disabilities is a significant problem, and, ultimately a hindrance to these services and their intended beneficiaries.

To be clear: the challenge is not that there are too many services; rather, that multiple agencies on both the Federal and State levels create a sometimes confusing array of eligibility rules, performance measures, and service delivery procedures. Navigating these processes can be a challenge even for those who work in this arena. For persons with disabilities and their families the processes can result in delays or otherwise make access unintentionally difficult. It can be impenetrable.

Even in just the employment services area (not including benefits and services related to medical and personal care, therapy, housing, transportation, etc.), there are multiple agencies, legislation and funding authorities emanating from the Federal Departments of Labor (DOL), Education (Ed), Health and Human Services (HHS), Defense (DOD), Veteran's Affairs (DVA), and Social Security (SSA), to name only the most significant players. Within each of these Federal departments are numerous sub-authorities that operate semi-independent employment initiatives.

With each of these agencies and sub-authorities, the challenge is more than just the numerous eligibility, performance and spending rules that accompany them. As an individual, a family member, or a service provider on the ground, it can be difficult to reconcile the different *perspectives* of these agencies and the services they provide.

For example, DOL and HHS each offer employment services for people with disabilities. The employment programs that are funded by HHS are invariably entwined with therapeutic services (e.g., housing, personal and medical care, therapies, etc.), while those funded by DOL are more directly focused on training, employment and self-sufficiency. HHS programs approach employment from the perspective of its impact on personal health and care, while DOL approaches employment services in hopes that every American can become self-sufficient. These different approaches can cause the professionals who implement them to present them in ways that can appear contradictory to the individuals and family members who depend on them. Starting from such different sources on the Federal level, these programs do not always mingle easily on the local level.

Finally, in an era of unprecedented fiscal challenges, these State and Federal administrative entities can require a share of the dollars that could go to services on the ground. It is appropriate to review these programs with an eye for how to reduce any redundancies and improve efficiencies.

As the first appointed Secretary of the Department of Homeland Security, I sometimes felt that too many Federal agencies had overlapping responsibilities and that separate administration of similar services could be less efficient and effective.

The problem is clear; the solution, less so. If, hypothetically, you were to combine many of these services and funds under a single administrative entity, you would have to make a number of choices, each of which comes with risks. I offer the following issues for consideration, to highlight some of the structural issues that result in practical challenges on the ground:

Mingling Generic and Disability-Specific Services: Combining services designed for individuals with disabilities with "generic services" (those for individuals with and without disabilities) would run the risk of undermining years of advocacy by people with disabilities who fought to ensure that there would be dedicated agencies designed to meet their needs. The fear is that an agency designed to meet the needs of all job seekers might not fully grasp the intricate needs of job seekers with disabilities, and that these individuals' needs would, as a consequence, go unmet. The

ultimate goal would be to combine generic and disability-specific services, while putting in place safeguards to ensure that disability-specific needs are not ignored.

Combining Disability-Specific Authorities: If, alternatively, one chose to combine the various authorities that serve people with disabilities under a single administrative banner, there are two significant challenges to be aware of.

First, this would perpetuate what is essentially a segregated system of services for people with disabilities. The fact that disability and “generic” services operate at such a distance from one another has made it much harder for people with disabilities to access services offered through the Workforce Investment Act, and other non-disability specific programs. Further, it codifies in law, regulation and policy the separation of people with and without disabilities.

Second, looking only at disability-specific services, there is still a significant divide between funding and services that are built around a mentality of *care*, and those that are designed to promote economic *self-sufficiency* for individuals with disabilities, as I discussed in my testimony. It is for this reason that the Federal Government often appears ambivalent about the employment of people with disabilities—1 minute saying that we promote opportunity for all, the next threatening individuals with disabilities who attain success with the removal of the medical and personal care benefits they need to survive. Clearly, we must provide care and support, and we must create the path to self sufficiency for Americans with disabilities. The challenge is to ensure that these two goals are mutually supportive, not seemingly at odds.

For this reason, the principal goal of any policy change must be to ensure that—in our words, in our policies, and in our funding choices—our government speaks with one voice. We must have the same expectations for people with disabilities that we have for all Americans, and we must ensure that the services we offer support this expectation.

VETERAN PROGRAMS

NOD strives to provide veterans in transition to civilian careers with referrals to agencies that provide reliable services, whether at the Federal, State or local level. In instances where services are not available or are inadequate, NOD supplements the community’s resources to bridge those gaps. Several of the more notable programs are described below.

Transition Assistance

Federal Disabled Veterans Transition Assistance Program (DTAP)—While this program is currently under a major revision, the program is widely thought to provide too much information in too little time, particularly with regard to veterans with cognitive or psychological impairments. In addition, the seminar and materials are too often more useful at later junctures when the veteran may have trouble recalling the information. Also, there are many references, Web site links and pamphlets provided on a wide variety of topics, including career planning actions. However, career planning should be done in a much more comprehensive and integrated manner and it should integrate actionable career steps with resources available to accomplish those actions. Finally, financial counseling and planning is critical since most veterans suffer a significant decrease in pay as they separate—this is exacerbated by the lengthy VA disability determination process. Among the recommendations are:

- Lengthen the seminar and allow spouses to attend with disabled veterans;
- Develop a compendium of the information that remains a more handy resource by providing a tailored “separation benefits and entitlements” binder which veterans can use to organize and store the most relevant information, including DD Form 214 and medical disability and similar reference materials;
- Provide monthly DTAP update seminars at locations across the country that any veteran can attend to learn the most recent information and ask questions. These could easily include a web cast for more remote locations but should allow in person attendance so that first hand advice and referrals can be effected.
- Develop a Joint Inter-Agency (DOD, VA, DOL, Dept of Ed, OPM) Career Planning Process that is initiated during transition and remains a resource to the veteran and the agencies that have missions to support veterans. NOD developed such a process out of necessity. Unfortunately, many PTSD and TBI veterans have trouble planning and executing key career steps. NOD developed an approach that simplifies and integrates career steps that they are more easily accomplished, managed, and so that progress can be more easily monitored by family members or supporting counselors.

- Provide a detailed financial counseling service to separating veterans that affords a more realistic assessment of expenses and income veteran families can expect after separation. Doing this at an early juncture allows better awareness and decisionmaking. Most veterans suffer financial hardship upon separation. Mitigation of any additional turbulence during separation is critical to sustaining focus on career and family needs versus managing financial crises.

Vocational Rehabilitation

Veterans Affairs Vocational Rehabilitation and Employment (VRE—While VRE is a valuable benefit to disabled veterans, many veterans needing these services choose to use the GI bill which they often view as more flexible. In some cases, disabled veterans with PTSD or TBI may find the additional bureaucracy of VRE difficult to navigate. NOD has attempted to develop a collaborative effort with the VA VRE service in order to increase utilization of this valuable benefit. Generally, however, VRE counselors have too large a caseload (about 150) to serve their clients fully. There appears to be little segmentation of the caseload to ensure that each counselor has a manageable size group of clients. Clearly the type and severity of the disabled veterans on the caseload can vary greatly, as can the demands on the counselor. Accordingly, each veteran served should be considered in the context of their needs, and services designed to meet those needs. Each case is unique, and the aspirations and support needs of each veteran are unique. Finally, the outcomes should be evaluated more closely. Simply getting a veteran into a job is not enough, nor is closing the case file when the veteran has completed 3, 6, or 9 months on the job. The goals of VRE should be long-range self-sufficiency and long-term/longitudinal tracking is necessary to more appropriately assess the effectiveness of how this benefit/service is administered.

Employment

Department of Labor Disabled Veterans Outreach Program Specialists (DVOPS) and Local Veterans Employment Representatives (LVERs)—In order for these federally subsidized, State-employed counselors to be effective, veterans have to register for services. In most cases, young veterans are not registering at State veterans employment offices. In part this is because these offices are widely perceived as providing only the most basic services, which often are not customized to the veterans careers aspirations. Since these personnel are provided to States via a noncompetitive grant program, there is insufficient Federal control of the metrics, outcomes, and operating practices at these offices. In short, NOD has tried to work with these offices but finds them largely ill-suited to disabled veterans today, the vast majority of which (75 percent) have a cognitive or psychological impairment (PTSD/TBI). In addition, these offices do not develop strong relationships with employers and veterans do not appear to believe their chances of employment are greatly enhanced by working with these offices. While some of the services are of some value, much of the resume-writing, interview skills, and similar employment classes are not specific enough for an individual who has never pursued a civilian job before and for whom significant skill gaps may remain. In short, many younger veterans are not entirely job-ready. The DOL program should be reviewed to assess how the current generation of veterans could be better served. SHRM recently published a report that shows few employers are aware of DOL offices and fewer choose to use them. That report alone indicates that these offices do not provide strong linkages to employment opportunities.

Education

GI bill (education)—Many NOD clients take advantage of the GI bill. Fully 80 percent of program participants are expected to use the GI bill within 3 years of separation from the military. This program is an essential component of retooling for civilian careers and to supplement knowledge/experience needs of employers. However, there are some limitations to the program and some measure of outcomes that do not fully ensure that maximum benefit is provided. One dynamic that is problematic are the financial needs of many separating veterans. In some cases, veterans will enroll in school in part because they will receive a stipend when they do so. Unfortunately, a difficult economy adds to this dynamic. Financial needs should be addressed by more suitable mechanisms and education counselors should be empowered to screen for this issue and address financial needs in others ways so that the education benefit is preserved for its best use.

While annual adjustments/changes to living allowance rates and changes to authorized tuition payments are often slow in being announced and implemented each year, the GI bill is a tremendous benefit to veterans. Importantly, the Post-9/11 GI bill has expanded benefits to veterans for vocational, apprenticeship and On-The-Job training (OJT) programs. However, the approved list of programs does not al-

ways allow veterans to enroll in the vocational program of their choice. Since many veterans choose vocational training, this limitation can be a hardship as veterans seek local programs in career fields of their choice. Expansion and more flexibility in this effort would enable more of our war-fighters to use their new GI bill benefits. Limitations in distance learning programs can be similarly restrictive, particularly the unavailability of the substantial monthly living allowance for those in distance learning programs versus attending a brick and mortar educational institution. This has the effect of forcing veterans who need the living allowance to pursue resident education when distance learning may be more convenient, appropriate and less expensive.

The Veterans Administration should also monitor the outcomes associated with education programs. While each veteran's success or failure in school and subsequent employment efforts may be the result of medical/disability conditions, personal efforts, and educational prowess, each school should be judged on the success of its graduates in some manner. Such an effort would help ensure that U.S. taxpayers get the results that they intend the GI bill to achieve. Moreover, such information would be useful to veterans as they select the school/program most appropriate to them.

Also, many veterans are entering the civilian work environment for the first time. The VA should develop ways to encourage internships, mentorships, and similar exposure to civilian employers as part of the educational experience. It would not be unreasonable for schools to be required to have internship placement efforts that are required for a certain percentage of their veteran students, or for such a requirement to apply to certain career fields. This approach would allow veterans to develop job prospects while in school and for companies in such a program to be more receptive to employment of the graduate since they would be more familiar with them. Given the rate of unemployment among young veterans, it is clear that military experience and GI bill benefits alone are not sufficient. More innovation is needed to lower the threshold for veterans moving into the civilian workforce.

Question 2. Please provide specific examples of what you did as Secretary of Homeland Security to increase the employment opportunities for individuals with disabilities.

Answer 2. (See response to Senator Casey's question 3b.)

QUESTIONS OF SENATOR CASEY

Question 1. In your testimony you referenced that the return to civilian life is a process not an event. What do you think we can do to help make that transition smoother? Are there specific roadblocks that you find troops face when making this transition?

Answer 1. There are several areas on which NOD would like to comment regarding transition challenges:

Federal Disabled Veterans Transition Assistance Program (DTAP) and related processes—This program is currently under a major revision. However, the program is widely thought to provide too much information in too little time, particularly with regard to veterans with cognitive or psychological impairments. Alternative presentations, perhaps in smaller groups, at slower paces, and with a family member present, are among ideas to consider. PTSD and TBI victims will have special challenges focusing, recalling, or integrating transition steps/resources and those challenges are not well understood. NOD is among the few organizations with expertise in this area that comes from long-term support to disabled veterans. DTAP seminar topics and materials are often more useful at later junctures when the veteran may have trouble recalling the information. Also, there are many references, Web site links and pamphlets provided on a wide variety of topics, including career planning actions. However, career planning should be done in a much more comprehensive and integrated manner and it should integrate actionable career steps with resources available to accomplish those actions. Finally, financial counseling and planning is critical since most veterans suffer a significant decrease in pay as they separate—this is exacerbated by the lengthy VA disability determination process. Among the recommendations are:

- Lengthen the seminar and allow spouses to attend with disabled veterans;
- Consider alternative modes for delivering DTAP for cognitively or psychologically impaired veterans.
- Develop a compendium of the information that remains a more handy resource by providing a tailored "separation benefits and entitlements" binder which veterans can use to organize and store the most relevant information, including DD Form 214

and medical disability and similar reference materials. Some veterans misplace paperwork or do not organize it or retain it in ways that are most helpful;

- Provide monthly DTAP update seminars at locations across the country that any veteran can attend to learn the most recent information and ask questions. These could easily include a web cast for more remote locations but should allow in person attendance so that first hand advice and referrals can be provided.

- Develop a Joint Inter-Agency (DOD, VA, DOL, Dept of Ed, OPM) Career Planning Process that is initiated during transition and remains a resource to the veteran and the agencies that have missions to support veterans. NOD developed such a process out of necessity. Unfortunately, many PTSD and TBI veterans have trouble planning and executing key career steps. NOD developed an approach that simplifies and integrates career steps that are more easily accomplished, managed, and so that progress can be more easily monitored by family members or supporting counselors. Such a career planning process, particularly if also made available through web-based applications, could be a resource on and off active duty and after separation, and should include interim and longer term actions and career goals. NOD has a model for this type of more integrated 5-year career planning module and we believe the VA should be required to develop such a program that is easier to access, more intuitive to use, which is initiated before separation, and which can help DOD, VA and DOL support these veterans more comprehensively. Veterans that need less assistance would be able to continue to employ the tool on their own.

- Provide a detailed financial counseling service to separating veterans that affords a more realistic assessment of expenses and income veteran families can expect after separation. Doing this at an early juncture allows better awareness and decisionmaking. Most veterans suffer financial hardship upon separation. Mitigation of any additional turbulence during separation is critical to sustaining focus on career and family needs versus managing financial crises.

Career Counseling and Goal Setting—Most veterans, disabled or not, have very little civilian employment experience and have difficulty translating their experience into civilian equivalents. If disabled, they also do not receive adequate assistance from existing Federal programs in evaluating career options, developing career plans, selecting schools and training programs, preparing resumes and job interview preparation. These factors significantly complicate their ability to envision, plan, and execute the career change when leaving the service. While State and Federal agencies exist, such as the Department of Labor's Disabled Veterans Outreach Program Specialists (DVOPS) and Local Veterans Employment Representatives (LVERs), these federally subsidized, State-employed counselors do not have appropriate outcomes measures and therefore are not incentivized to provide personalized assistance to disabled veterans. The common perception by younger veterans is that these agencies do not provide assistance that is needed. Therefore, most young veterans are not registering at State veterans employment offices. This is largely because these offices are widely perceived as providing only the most basic services, which often are not customized to the veteran's careers aspirations.

Since these offices are partially staffed by State employees via a noncompetitive grant program, there is insufficient Federal control of the metrics, outcomes, and operating practices at these offices. NOD has tried to work with these offices but finds them largely ill-suited to disabled veterans today, the vast majority of which (75 percent) have a cognitive or psychological impairment (PTSD/TBI). Because these offices measure success by job placement (measured once the veteran has been employed about 90 days), they are not incentivized to work with veterans over a longer period of time to ensure education and training needs are met to address experience gaps before pursuing employment. In short, many younger veterans are not entirely job ready. The DOL program should be reviewed to assess how the current generation of veterans could be better served. SHRM recently published a report that shows few employers are aware of DOL offices and fewer choose to use them. That report alone indicates that these offices do not provide strong linkages to employment opportunities. Among the recommendations are:

- Provide set aside, competitively awarded funds within the Department of Labor's Disabled Veterans Outreach Program Specialists (DVOPS) and Local Veterans Employment Representatives (LVERs) grant program to resource a number of locations where innovative approaches to veteran career counseling and employment can be piloted. Such a program would allow best practices to be substantiated and applied more broadly. More information on this idea is available from NOD staff.

- Require new measures of outcomes for grant recipients that assess veterans' satisfaction and longer term career goal achievement. Since veteran transitions often take several years as they pursue education, training, and often part-time work to supplement their income, short term measures of job placement are inad-

equate to accurately assess transition success. The Nation expects these veterans to become self-sufficient and meaningful members of their communities. More appropriate measures of outcomes are needed.

- Require/authorize the Departments of Defense, Veterans' Affairs, and Labor to develop meaningful internships and partnerships with the private sector so that separating service members and veterans have easier access to employers who want to provide work experiences short of full time employment. While DOD has developed Operation War fighter, it is limited to internships for those still on active duty and only in Federal agencies. DOD and other agencies often cite ethics obstacles to working closely with private organizations. Existing interpretation of the law by Federal agencies is not what Congress intended and represents a significant obstacle to collaboration between government and nongovernmental organizations that prevents practical and effective relationships that could dramatically improve support to veterans in transition.

Vocational Rehabilitation—Veterans Affairs Vocational Rehabilitation and Employment (VRE)—While VRE is a valuable benefit to disabled veterans, many veterans needing these services choose to use the GI bill instead, which they often view as more flexible. In some cases, disabled veterans with PTSD or TBI may find the additional bureaucracy of VRE difficult to navigate. NOD has attempted to develop a collaborative effort with the VA VRE service in order to increase utilization of this valuable benefit. Generally, however, VRE counselors have a very large caseload (about 150) to serve their clients fully. There appears to be little segmentation of the caseload to ensure that each counselor has a manageable size/group of clients. Clearly the type and severity of the disabled veterans on the caseload can vary greatly, as can the associated demands on the counselor, and even the skill sets of the counselors may need to be modified for some caseload types. Each veteran served should be considered in the context of their needs, and services be designed to meet those needs. Each case is unique, and the aspirations and support needs of each veteran are equally unique. Finally, the outcomes should be evaluated more closely. Simply getting a veteran into a job is not enough, nor is closing the case file when the veteran has completed 3, 6, or 9 months on the job. The goals of VRE should be long range self-sufficiency and long term / longitudinal tracking is necessary to more appropriately assess the effectiveness of how this benefit/service is designed, administered, and measured.

- Provide legislation for a grant program that demonstrates best practices in supporting the career transition of disabled veterans.

- Review metrics for success and modify to address self-sufficiency, long-term monitoring and support, and ensure integration of career planning with other Federal agencies involved in veterans services.

Education GI Bill

GI bill (education)—Many NOD clients take advantage of the GI bill. Fully 80 percent of program participants are expected to use the GI bill within 3 years of separation from the military. This program is an essential component of retooling for civilian careers and to supplement knowledge/experience needs of employer. However, there are some limitations to the program and some measure of outcomes that do not fully ensure that maximum benefit is provided. One dynamic that is problematic are the financial needs of many separating veterans. In some cases, veterans will enroll in school in part because they will receive a stipend when they do so. Unfortunately, a difficult economy adds to this dynamic. Financial needs should be addressed by more suitable mechanisms and education counselors should be empowered to screen for this issue and address financial needs in other ways so that the education benefit is preserved for its best use.

While annual adjustments/changes to living allowance rates and changes to authorized tuition payments are often slow in being announced and implemented each year, the GI bill is a tremendous benefit to veterans. Importantly, the Post-9/11 GI bill has expanded benefits to veterans for vocational, apprenticeship and On-The-Job training (OJT) programs. However, the approved list of programs does not always allow veterans to enroll in the vocational program of their choice. Since many veterans choose vocational training, this limitation can be a hardship as veterans seek local programs in career fields of their choice. Expansion and more flexibility in this effort would enable more of our war-fighters to use their new GI bill benefits. Limitations in distance learning programs can be similarly restrictive, particularly the unavailability of the substantial monthly living allowance for those in distance learning programs versus attending a brick and mortar educational institution. This has the effect of forcing veterans who need the living allowance to pursue resident education when distance learning may be more convenient, appropriate and less expensive.

The Veterans Administration should also monitor the outcomes associated with education programs. While each veteran's success or failure in school and subsequent employment efforts may be the result of medical/disability conditions, personal efforts, and educational prowess, each school should be judged on the success of its graduates in some manner. Such an effort would help ensure that U.S. taxpayers get the results that they intend the GI bill to achieve. Moreover, such information would be useful to veterans as they select the school/program most appropriate to them.

Also, many veterans are entering the civilian work environment for the first time. The VA should develop ways to encourage internships, mentorships, and similar exposure to civilian employers as part of the educational experience. It would not be unreasonable for schools to be required to have internship placement efforts that are required for a certain percentage of their veteran students, or for such a requirement to apply to certain career fields. This approach would allow veterans to develop job prospects while in school and for companies in such a program to be more receptive to employment of the graduate since they would be more familiar with them. Given the rate of unemployment among young veterans, it is clear that military experience and GI bill benefits alone are not sufficient. More innovation is needed to lower the threshold for veterans moving into the civilian workforce.

Federal and Private Internship Programs—Currently, the Departments of Defense, Veterans' Affairs, and Labor have not been able to establish a full range of collaborative programs with the private sector, nor have Federal internship programs been assessed to identify and apply the very best practices, including metrics. NOD's experience is that 75 percent of disabled veterans choose nonfederal employment. Serving the career aspirations of veterans therefore, requires a broader effort to provide experiential opportunities to learn about civilian career paths. Meaningful internships and partnerships with the private sector would provide separating service members and veterans with improved access to employers who want to provide work experiences short of full time employment. This is particularly important in the current economic climate when any hiring, much less a disabled person, is challenging for employers. DOD's Operation War fighter program is limited to internships for those still on active duty and only in Federal agencies. DOD and other agencies often cite ethics obstacles to working closely with private organizations. Existing interpretation of the law by Federal agencies is not what Congress intended and represents a significant obstacle to collaboration between government and non-governmental organizations, and which is preventing practical and effective public-private relationships that could dramatically improve support to veterans in transition. Recommendations include:

- Review and modify ethics statutes their application in key agencies to ensure they do not inadvertently exclude appropriate public-private collaboration.
- Members of Congress and committees interested in applying best practices in Veterans transition support should support legislation developed by Senator Bennet (CO) and already included in the House Defense Authorization Act (FY 2012 NDAA) as Section 594 (Wounded Warrior Careers Program). This section requires the Secretary of Defense to carry out a 5-year career-development demonstration program within DOD's Education and Employment Initiative to apply best practices in career mentoring and transition support for severely wounded warriors of the armed forces and their spouses. This effort is required to be implemented in 20 geographic areas across the country where there are large concentrations of wounded warriors. This section would also require the Secretary of Defense to collect data on best practices, share lessons learned with other Federal agencies with missions to support veterans, and conduct a cost-benefit analysis of the results of the services provided to severely wounded warriors and their families. In addition, the section requires reports to Congress regarding program results, implementation of appropriate policies and programs, and associated budget actions.

Question 2. What lessons have you learned from working with people classified as 100 percent disabled? What do you think we could be doing to give them greater access to education, training and employment opportunities?

NOD's Wounded Warrior Careers program has collected survey information that clearly indicates that veterans who are more engaged in career activity have a more positive view of their own health than those who are not engaged. NOD's work with veterans has also demonstrated that even veterans rated at 100 percent disabled, some who have also been designated as "unemployable," are capable of far more career activity and community involvement than our Federal programs and policies currently are designed to attempt to support. It is important to recognize that Federal agencies, which necessarily assign disabled veterans to categories for purposes of administering compensation and services, can inadvertently but negatively influ-

ence the motivation of disabled veterans to pursue careers. Some policies serve to impede veterans' views of what they are actually capable of doing. Therefore, a review of programs like NOD, and a new grant program that allows the VA and other agencies to systematically learn from private sector ventures like NOD's, would allow alternative approaches to be tested within Federal agencies. Such efforts should be designed to remove unintended disincentives to career and community involvement for severely disabled veterans and apply best practices that are efficient and effective in inspiring greater involvement in careers and advancement of self-sufficiency for disabled veterans and their families. Recommendations include:

- Review disability classifications and services afforded the most serious ones. Assess to ensure that services which could enhance involvement in community and careers, such as vocational rehabilitation, are not denied in any form to persons who have some ability for engagement.
- Support legislation developed by Senator Bennet (CO) and already included in the House Defense Authorization Act (FY 2012 NDAA) as Section 594 (Wounded Warrior Careers Program). This section requires the Secretary of Defense to carry out a 5-year career-development demonstration program within DOD's Education and Employment Initiative to apply best practices in career mentoring and transition support for severely wounded warriors of the armed forces and their spouses.

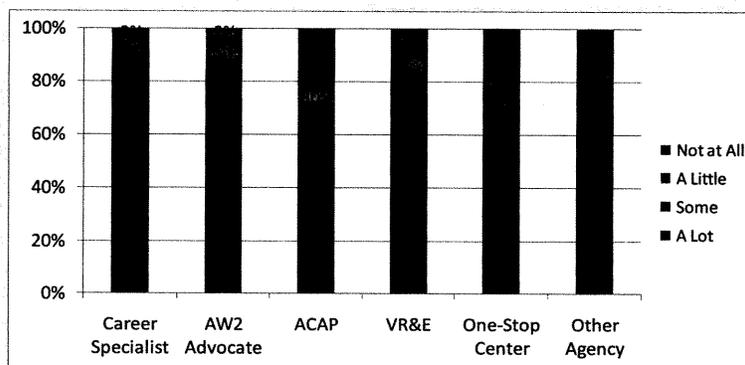
Question 3a. Mentors play an important role in the lives of most people. In your testimony you referenced the especial role mentors can play in helping veterans with employment. My staff and I have been looking at developing legislation to help veterans entering or returning to college work with mentors to help with this transition including developing career opportunities and translating skills they learned in a military situation such as management and information technology to a non-military situation. From your experiences do you have specific suggestions of policies we should include? What existing resources do you think we could build off in creating this program?

Answer 3a. There are numerous philanthropic community and national organizations, as well as employers, which have undertaken a variety of mentoring programs. Each of these has its own design, focus, and goals, may occur inside or outside the actual workplace or educational institution, and may serve veterans and/or family members. NOD believes that it is necessary to characterize and categorize mentoring programs in order to best assess their intent, their metrics, and their effectiveness.

NOD's mentoring approach is very holistic because it includes a wide variety of transition related support (career planning, benefits, access to key services, education, employment, and longer term self-sufficiency) and is also designed to link veterans with other community resources. Other programs may have a somewhat more narrow support role or focus, such as employment, education, or financial planning. Some programs provide morale support through social activities. All have the potential to enrich veterans, their families and the community separately, or in collaboration with other resources.

The mentoring program landscape is very diverse and growing. Many mentoring programs primarily focus on veterans-to-veterans or citizen-to-veteran and provide employment advice and take place outside the work place (essentially familiarizing veterans with career paths, employer needs, or industry sectors). Other mentoring programs are sponsored by the employer and exist to support the veteran in the workplace or career path more directly. There are also mentoring programs that take place in educational settings, within national veterans' organization programs, and within government and civilian internship and apprenticeship programs. In Michigan, the National Guard has a buddy-to-buddy program that focuses on general transition and mental health support. Other government-sponsored programs exist as well that provide general career-related support or support to veterans starting businesses. Accordingly, NOD's recommendation is that mentoring programs should be looked at with specific regard to their purpose, beneficiaries, training or qualifications of mentors, location, design, metrics/measures of outcomes, relationship to partners or referral agencies, funding sources, cost/ease of replication, and likelihood of endurance, among other factors. Assessing effectiveness should include the opinion of the organization, but also extend to the veterans being served input from other relevant community partners that may be associated with the program or in a position to gauge it. Among other data collected in the NOD program, is a satisfaction survey, below:

Soldier/Veteran Satisfaction Varies Across Agencies



NOD and AW2 Programs Provide Holistic Support that Engender High Veteran Satisfaction

Regarding existing resources that are worthy of consideration, in addition to a program like NOD, others include American Corporate Partners, Buddy-to-Buddy, Student Veterans of America, Iraq and Afghanistan Veterans Association, American Legion, Rutgers-University Veteran Mentoring Program, Joining Forces for Women Veterans mentoring project, Veterans Across America Champion Mentor program, VA Mentor-Protégé Program, Veterans Strategic Legal Resources Volunteer Mentor Program, and many that exist within corporations such as IBM.

With regard to policies, a significant obstacle is the impediment to collaboration between private organizations and the Federal Government. Ethical statutes and regulations often prevent government agencies from referring separating service members to civilian/nongovernmental organizations in a systemic and efficient manner. Some organizations with congressional charters, are afforded unique access (USO, Red Cross, and some VSOs, while other worthwhile organizations find direct collaboration and referral processes exceptionally difficult to establish with government agencies. Too often, these challenges undermine the efficiency of private efforts that provide valuable services to separating service members and their families. Clarification of statutes should be accomplished to specify how governmental/nongovernmental collaboration can be accomplished so that concerns about the appearance that the Government is endorsing private organization are addressed without undermining the potential for useful collaboration. The Chairman of the Joint Chiefs of Staff has described a "Sea of Goodwill" that is valuable to service members, veterans and families in communities across America. However, DOD too often cannot directly collaborate with much of the "Sea of Goodwill." This represents a tremendous loss of opportunity and too often makes the use of private resources that are critical to veterans and communities that support them far less efficient and effective. Recommendations include:

- Review key mentoring programs with specific regard to their purpose, beneficiaries, training or qualifications of mentors, location, design, metrics/measures of outcomes, relationship to partners or referral agencies, funding sources, cost/ease of replication, and likelihood of endurance, among other factors. Identify collaborative referral mechanisms and provide guidelines to Federal agencies to better exploit private organizations' capabilities.
- Develop grant program to allow most effective programs to receive some Federal support in order to achieve scale, further substantiate the model, or otherwise expand the ability of the Nation to exploit the potential of the approach inside or outside the Federal Government.

Question 3b. Please provide specific examples of what you did as Secretary of Homeland Security to increase the employment opportunities for individuals with disabilities.

Answer 3b.

- As I created a new Cabinet department, I determined that I wanted to provide as many opportunities for people with disabilities as possible. Employment of people with disabilities has always been a keen interest of mine, stretching back to my days as Governor of Pennsylvania when I had a disability issues agenda for my administration.

- I tasked one of my senior leaders to develop a concrete plan to ensure that people with disabilities would get a fair opportunity to land positions within our new department. Please note that we did not set a “quota” or specific numerical goals for hiring people with disabilities. This is the approach taken in many “EEO” contexts, but we decided to pursue a different strategy. Our strategy was to identify this as a key leadership priority, give managers and supervisors all of the tools they needed to make this successful, and, aggressively recruit qualified candidates. We didn’t place a mandate on any of our hiring managers; we simply worked hard to make this a “win-win” opportunity for both our new Department and for prospective employees.

- People told us we could not accomplish much with this initiative. First, they told us that we were a security/law enforcement agency. The government agencies that have had the best track records have been those with social service or education missions. We were told that people with disabilities are more drawn to that work, and that hiring managers in security/law enforcement agencies are far less inclined to hire people with disabilities than those in social service or education missions. Second, we were told that our initiative cut against overwhelming trends. At that time, employment of people with disabilities within the Federal Government as a whole was dropping by approximately 10 percent. We were told that our initiative could not be successful in the face of those trends.

- We pressed forward. After 18 months, we evaluated the success of this initiative, and the results were astounding. In those 18 months, we had seen a 300 percent increase in the number of people with disabilities who worked for our organization. That is, we tripled the number of people with disabilities we had working for us. In proportion to the total population of DHS HQ, people with disabilities went from approximately 1 percent of the workforce to over 5 percent of the workforce. We had people with every type of disability and in all kinds of positions—an attorney who was deaf, a security employee who had been wounded in military service, an IT manager with a mobility impairment that required him to use a wheelchair, and people with learning disabilities.

- Our initiative showed that it can be done; increasing the employment of people with disabilities can be accomplished, and, even in a very difficult context. Employment of people with disabilities should be a much easier proposition now for Federal agencies because of the large number of young men and women who are returning from wars in Iraq and Afghanistan with disabilities. These are young men and women who have security clearances. These are young men and women who are very inclined to do government service; they already have pledged to work in the public sector. These are young men and women with experience. These are young men and women who have a support structure to help make them successful—they have the DOD’s leadership and wounded veteran’s programs available to help them. In short, Federal agencies attempting to hire people with disabilities are faced with many advantages and opportunities that I did not have when I was standing up the new Department of Homeland Security.

- Specifically, here is how we pursued this initiative:

- *Leadership.* I sent a memorandum to my senior team announcing this initiative. It is critical to have leadership. When senior leaders take on an initiative like this, it is likely to be successful. This type of initiative struggles when it is a bottom-up approach; this type of initiative needs to have top leadership buy-in. And my senior team knew I meant business; I discussed this initiative with the leadership team on multiple occasions. Many of them reacted with great enthusiasm and took it on as a personal priority as well.
- *Training for Managers and Supervisors.* We required every single person in DHS headquarters who was responsible for hiring or interviewing new employees to take a training class on this initiative. The training class was 90 minutes long, and it accomplished two things. First, it showed all managers and supervisors that this was a project that really mattered to me and to my leadership team. When the managers saw Under Secretaries and Assistant Secretaries sitting through the training, with enthusiasm, it sent a message. Second, it greatly minimized the reluctance many people with disabilities have toward working with those with disabilities. We had several current employees with disabilities speak at length about how they get their jobs done,

their greatest hurdles on the job, and their greatest successes. This greatly increased the level of comfort our managers and supervisors had because it personalized the issue. Finally, it showed the managers that this would be a win-win. They were under pressure to bring on excellent new employees very quickly. We showed them that under the Schedule A hiring authorities, if they could identify a qualified applicant with a disability, they could move through the Federal employment process very quickly. So, they could get a qualified candidate in record-breaking time, AND make the Secretary happy by meeting this new initiative. They left seeing this as a win-win.

- *Technology.* We signed an agreement with the Computer/Electronics Accommodation Program. CAP is a Department of Defense program that purchases assistive technology and related services, providing training on using assistive technology, advising on creating accessible electronic environments and assisting in accommodating workers with disabilities. In other words, when an employee needs some sort of accessible technology to do his or her work, CAP buys it, installs it, and trains them how to use it. For free. While CAP is located within DOD, it is authorized by Congress to provide assistance to employees at other government agencies. We signed a Memorandum of Understanding with CAP, and then had their leadership come to DHS headquarters to demonstrate the technologies that could be provided for free. This allowed employees with disabilities to do their work effectively. But it also reassured managers and supervisors that hiring employees with disabilities would be a success—because there would be the technology needed to support them.
- *Implementation.* Finally, we hired a person who was completely dedicated to hiring people with disabilities. She attended job fairs, went to Walter Reed, and met with community groups. She got to know every manager or supervisor who expressed any interest in hiring a person with a disability. She took resumés from qualified candidates and then became a case worker to place that person in a job.

RESPONSE TO QUESTIONS OF SENATOR ENZI BY DEBORAH DAGIT

Question 1. In your testimony you advocate for “employer incentives” as a means of increasing workforce retention. Please give specific examples of how we can do that on the Federal level.

Answer 1. Authorize employer tax incentives that are not administratively burdensome and that will increase the availability and utilization of effective workforce retention policies and programs to keep working adults with newly diagnosed or recently exacerbated medical conditions connected to the workforce.

The private sector has developed many best practices in disability management. For instance, when workers acquire new disabilities, employers focus on timely intervention to ensure that workers have the necessary health care and rehabilitation supports to adapt to new disabilities and/or recover. During the process, employers and insurers work intensively to assess and restore their employees’ work potential. Consequently, private sector disability insurers ask “what can you do and how?”, rather than require individuals to prove work incapacity.

Employer-based disability management can reduce pressure on the Social Security disability rolls by enabling employees to remain connected to the workforce. Because disability management can reduce Federal income support expenditures, the Federal Government should play an active role in supporting and encouraging private-sector efforts. In fact, Unum, a disability, group, and term life insurance company, commissioned and released the following report, *Financial Security for Working Americans: An Economic Analysis of Insurance Products in Workplace Benefits Programs.* (July 27, 2011).

Question 2. How well aligned are Federal career, education, and training programs for individuals with disabilities?

Answer 2. Federal career, education and training programs are marginally aligned for individuals with disabilities. Obviously there are exceptions, but generally the One-Stop Career Centers authorized through the Workforce Investment Act, school systems (elementary through post-secondary), and public training programs do not effectively coordinate services, lack innovative staff training, and do not prepare individuals with disabilities for the current or future job market. Innovative and successful model programs such as Career Opportunities for Students with Disabilities (COSD), High School/High Tech, Project SEARCH, Emerging Leaders, TransCen and BLNs struggle for funding and are seldom embraced by the traditional academic, training and employment systems.

Question 3. What must be done to improve the coordination between employers and agencies, including the Vocational Rehabilitation programs that serve as resources for hiring individuals with disabilities?

Answer 3. From an employer's point of view, for coordination to work at the local level, coordination must start at the Federal level and Federal agencies need to be held accountable. Not only is it critical that the Social Security Administration and the Departments of Labor, Education, Transportation, and Housing & Urban Development are at the table, but also Health and Human Services and its many components including Centers for Medicaid and Medicare Services, Administration for Children and Families, and the Administration on Developmental Disabilities must be included. A holistic, coordinated and simplified service delivery system must be created that can incorporate innovative and successful programs in every State's current delivery system.

Employers, especially small and medium size companies, do not have the time or resources to deal with the various programs that serve individuals with disabilities. Neither do employers have the time or motivation to deal with the competition that exists among the service agencies nor the complicated and confusing requirements that the different agencies must follow to qualify for their funding.

The key to improving coordination between employers and agencies including the Vocational Rehabilitation programs is to strengthen and grow the U.S. Business Leadership Network (USBLN®) network of affiliates. Businesses respond to their peers and the USBLN is the national disability organization that serves as the collective voice of over 60 Business Leadership Network affiliates across North America, representing over 5,000 businesses. The USBLN® helps build workplaces, marketplaces, and supply chains where people with disabilities are respected for their talents, while supporting the development and expansion of its BLN affiliates. The USBLN® recognizes and supports best practices in the employment and advancement of people with disabilities; the preparedness for work of youth and students with disabilities; marketing to consumers with disabilities; and contracting with vendors with disabilities through the development and certification of disability-owned businesses.

While the USBLN® movement was created by employers to reach their peers each local BLN is a non-profit entity that requires a stable public-private partnership to launch, expand and sustain itself. A strong BLN is the ideal link between government programs, community service providers and the employers.

RESPONSE TO QUESTION OF SENATOR ENZI BY AMELIA WALLRICH

Question 1. During your testimony you shared your personal experience with the individualized education program (IEP). Please share some suggestions for how we might be able to foster a positive environment for individuals with a broad range of disabilities—particularly those with intellectual disabilities—so that the process can be positive, not adversarial.

Answer 1. I think the IEP can be very useful, but it needs to be broadened to include more aspects of the educational experience. My IEP was helpful in procuring accommodations inside the classroom, but could have provided more support for transition planning and extracurricular and community activities. As I demonstrated in my testimony, extracurricular and community activities provided me with important training for future job skills. The broad goal of the IEP should be to implement a plan that helps a student with any type of disability use their education to obtain employment. The IEP should look for ways students with disabilities can explore their talents in a variety of arenas, the same way students without disabilities do. Part of the IEP process is an annual meeting that reviews a student's accommodations, their progress in the classroom, and their needs for the upcoming school year. The discussion about progress should also include how the student is involved in school activities outside of the classroom and how these activities can help the student prepare for a future. The discussion about needs for the upcoming year should be held in the broader context of whether a student with a disability is being adequately prepared for the workforce and, if possible, higher education. Furthermore, the discussions about transition plans and preparing for employment should start at the beginning of a student's education, not as he/she is about to graduate.

In terms of students with intellectual disabilities, allowing them to identify different community programs, jobs programs, or specialized higher education programs, will allow them to test many avenues for their development. However, it is key to have this focus early on in the IEP process so students and support staff have adequate time to identify programs and use their education to prepare them for the programs. Moreover, opening extracurricular and community activities to students

with intellectual disabilities will prepare students without disabilities to work in a more inclusive environment, and eventually a more inclusive workforce.

At a very basic level, the IEP should expect students with disabilities to be preparing for the workforce, just as our school systems are preparing students without disabilities for permanent employment. The IEP can help students with disabilities meet the expectation of employment by providing support and accommodations for community/extracurricular activities, by discussing transition plans early in a student's education, and by focusing the IEP as a tool for helping a student with a disability use their education to obtain employment.

Thank you again for the opportunity to speak on this issue.

[Whereupon, at 11:37 a.m., the hearing was adjourned.]

