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PATHWAYS TO SUCCESS: SUPPORTING ENTREPRENEURS AND EMPLOYEES WITH DISABILITIES

HEARING

BEFORE THE

SUBCOMMITTEE ON INNOVATION, ENTREPRENEURSHIP, AND WORKFORCE DEVELOPMENT

OF THE

COMMITTEE ON SMALL BUSINESS
UNITED STATES
HOUSE OF REPRESENTATIVES

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CONTENTS

OPENING STATEMENTS

	Page
Hon. Marc Molinaro	1
Hon. Morgan McGarvey	3

WITNESSES

Mr. Keith Wargo, President and Chief Executive Officer, Autism Speaks, Washington, DC	6
Ms. Iva Walsh, Owner, Maeve's Place, Phoenicia, NY	8
Mr. Cody Clark, Founder and Owner, Cody Clark Magic, Louisville, KY	9

APPENDIX

Prepared Statements:	
Mr. Keith Wargo, President and Chief Executive Officer, Autism Speaks, Washington, DC	20
Ms. Iva Walsh, Owner, Maeve's Place, Phoenicia, NY	23
Mr. Cody Clark, Founder and Owner, Cody Clark Magic, Louisville, KY	31
Questions for the Record:	
None.	
Answers for the Record:	
None.	
Additional Material for the Record:	
American Association of People with Disabilities (AAPD)	37
Autism Society of America	44
Consumer Technology Association (CTA)	49
Gallaudet University	51
National Disability Institute (NDI)	59

PATHWAYS TO SUCCESS: SUPPORTING ENTREPRENEURS AND EMPLOYEES WITH DISABILITIES

TUESDAY, JANUARY 30, 2024

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
SUBCOMMITTEE ON INNOVATION, ENTREPRENEURSHIP,
AND
WORKFORCE DEVELOPMENT
Washington, DC.

The Subcommittee met, pursuant to call, at 10:03 a.m., in Room 2360, Rayburn House Office Building, Hon. Mark Molinaro [chairman of the Subcommittee] presiding.

Present: Representatives Molinaro, Mann, Salazar, Ellzey, Crane, McGarvey, Thanedar, Pappas, Philips, and Chu.

Also Present: Representative Williams.

Chairman MOLINARO. Good morning, thank you for joining us. Before we get started this morning, I would like to recognize Mr. McGarvey to lead us in the pledge and a prayer.

Mr. MCGARVEY. I pledge allegiance to the flag of the United States of America. And to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Chairman MOLINARO. I now call the Committee, the Committee on Small Business, Subcommittee on Innovation, Entrepreneurship, and Workforce Element to order. Without objection, the Chair is authorized to declare a recess of the Committee at any time. I would now like to recognize myself for an opening statement.

First, as I said, good morning. I am thrilled to have our witnesses here and thank you all for joining us. We appreciate your time and appreciate the testimony that you are about to present to the Committee. I am particularly looking forward to hearing from Mr. Keith Wargo, President and CEO of Autism Speaks. Let me say on behalf of kids like my own, your leadership and vision for such an impactful organization does not go unnoticed. As the parent of four children, one of whom on the autism spectrum, I am certainly interested, as are my colleagues, in hearing from you about the work of the organization and what you are all doing to enhance the lives of those with autism and supporting their families.

Now, I am also very excited to be joined today by Ms. Iva Walsh. I also want to take this moment to recognize, even more importantly, her daughter Maeve, who is with us today as well. Iva is

the Founder and Owner of Maeve's Place. This is a popular coffee shop in Phoenicia, New York, and upstate New York, located in my district. Earlier this month, I visited again to present Iva with a congressional certificate for recognition for her amazing work and service to our community.

But more importantly, she has been doing amazing work. Inspired by her daughter Maeve, who has down syndrome, Iva has made it her mission to employ and support those with intellectual disabilities through her small business. I am eager, as are my colleagues, to hear from you and your unique perspectives on the positive impacts individuals with disabilities bring to the workplace. And I am thankful that you are here with us today.

Today, the Subcommittee on Innovation, Entrepreneurship, and Workforce Development hearing will focus on highlighting the Pathways to Success: Supporting Entrepreneurs and Employees with Disabilities. As we all recognize, hiring people with disabilities is not only sound economic investment for any business of any side, it also has significant economic and societal advantages. Everyone puts forth a unique perspective and skill set that makes them attractive and earnest employees.

Fortunately, with the current labor shortage, remote work opportunities, and tax incentives, we have seen a significant rise in the number of individuals with disabilities joining the workforce. However, far too many remain unemployed. We must together continue to encourage and provide resources to individuals with disabilities for job opportunities, creating pathways to success.

There are various programs that exist for this purpose and do an outstanding job of assisting those who participate alongside many others. Programs like the Partnership on Inclusive Apprenticeship and Partnership on Employment and Accessible Technology currently exist to help guide self-employed entrepreneurs. The PIA has designed apprenticeship programs and works to fund and connect disabled entrepreneurs to mentors, employment opportunities, and training programs. Meanwhile, PAT program promotes employment retention and career advancement by fostering collaborations in the technology space to build an inclusive workplace for people with disabilities. Having access to these programs can make a world of difference for these entrepreneurs, creating a more productive and innovative environment on main streets across America.

Furthermore, in the post pandemic workforce, unique employment opportunities have arisen for people with disabilities. Research has shown that people with disabilities are highly motivated to work, can create a more positive work environment, and are more loyal and less frequently absent from their employment. While entrepreneurs and employees with disabilities may face significant barriers to entry when considering opening a business or applying for a job, it is critical we continue to promote the opportunities available to them and ensure this community has access to the resources needed to thrive. And no matter the role, every unfilled position on main street represents a missed opportunity for a small business to serve its local community, increase their bottom line, and grow its operation. As policymakers, we must improve our understanding of those barriers faced by those in this area of the workforce, as well as to encourage future participation, as we pre-

pare the next generation of people with disabilities to enter the workforce.

Now, I hope today's hearing can help shape how Congress can work to promote the initiatives that already exist and produce additional legislation and initiatives to pave pathways to success for entrepreneurs and employees of every ability. I thank our witnesses again for being here today. We look forward to the conversation ahead.

And lastly, I would ask unanimous consent to submit a letter from the Consumer Technology Association, for the record and without objection, so ordered. With that, do you want to yield to the Chairman first or Mr. McGarvey first? Okay, sorry. Apologize. With that, let me yield to my distinguished Ranking Member from Kentucky, Mr. McGarvey.

Mr. MCGARVEY. Thank you, Mr. Chairman. Thank you very much, not just for holding this incredibly important hearing today, but for also being willing to lead and to share your personal experience. I know that is not easy, but we really appreciate it, particularly in this important topic.

I would also like to take one brief moment to recognize—thank you all of our people here testifying today, but I would like to give a special thanks to Mr. Cody Clark, who came up here from Louisville, Kentucky today. He is the Founder and Owner of Cody Clark Magic. And as the Chairman and I had discussed with you earlier, Mr. Clark, we could use little magic in DC these days, so we appreciate you being up here.

Every American deserves the opportunity to take a chance on themselves and contribute to society's productive entrepreneurs. This is the fundamental promise of the American dream, that any person in this country can work. They can work hard, they can take risks, and they can hopefully find success. Yet Americans with disabilities, like other groups we see, have fewer opportunities to make this dream a reality. In fact, 74 percent of people with disabilities do not participate in our nation's labor force.

But we can find reasons for optimism through data. Americans with disabilities have a higher self-employment rate than non-disabled Americans. Of Americans, over 33 million small businesses, nearly 2 million are owned by people with disabilities. Entrepreneurship is just as important a path to prosperity for Americans with disabilities as it is for other Americans. Meaningful full-time jobs are also a critical way to empower people with disabilities to succeed and leave and live independent lives.

Still, there are barriers, physical and intangible, that block the way to self-sufficiency and independence for people with different abilities. As we examine the benefits of including Americans with disabilities in the workforce and business community, it is also crucial for us to help them through the gate in the first place. People with disabilities cannot reap the rewards of hard work if they do not first have access to affordable health care. This is why President Biden signed the Inflation Reduction act and President Obama signed the ACA, to make health care more accessible and affordable so Americans can focus on working and owning small businesses.

In Kentucky alone, the ACA and Medicaid expansion brought health insurance coverage to over 400,000 Kentuckians for the first time. I say this, the ACA is one of the greatest economic development policies that we ever passed in our state and helps so many small businesses in particular.

But there is more we need to do. We need to make it easier for Americans with disabilities to enter the labor force and launch small businesses. We can do this by improving the public programs that serve them and implementing policies that make work and entrepreneurship more accessible, through accommodations and tackling ableism. Together, we have the capacity to help unleash the potential that Americans with disabilities have always had. We just need the courage to invest in their success.

With that, Mr. Chairman, I ask unanimous consent to enter into the record the written statements of the American Association of People with Disabilities, the National Disability Institute, and the Autism Society of America. Thank all the witnesses for joining us today and yield back.

Chairman MOLINARO. Without objections, so ordered. Thank you, Mr. McGarvey. Let me offer an opportunity to Chairman of the Small Business Committee from the Great State of Texas, Chairman Williams. Mr. Chairman, on behalf of the countless Americans of every ability, we are grateful that you have supported today's hearing. And with that, I know you wanted to offer some comments.

Mr. WILLIAMS. Thank you, Chairman. I want to say good morning to all of you. And I want to thank my colleague, Chairman Molinaro, for holding today's subcommittee hearing. Opening a small business and working within your community is one of the most rewarding things a person can do. This holds true for all individuals, including those with disabilities. This hearing will shine a light on the amazing work that these individuals are doing in their communities and the challenges disabled individuals face when applying for traditional jobs or considering self-employment. Over the past few years, we have seen increased accommodations being made to increase the number of people with disabilities joining the workforce. However, it is good practice to take a deeper dive to see what is working and what could be improved.

Back home, I employ hundreds of people, and we have several persons with disabilities that work for us. One of which comes to my mind this morning, who handles thousands, thousands of dollars of cash flow that are required for us to stay open in our business. And she does a fantastic job, and I am so glad we have her working for us. And I will always be inspired by any individual that bets on themselves to start their own small business.

From the very first hearing we had in this Committee, this Congress, we invited a 17-year-old who started his own hot sauce company—and it was hot, let me tell you—who was born with cerebral palsy. His inspirational story showed that with hard work, you can overcome anything. It is important to continue motivating entrepreneurs with disabilities and take risk and open their own small businesses.

So with that in mind, I want to thank again, Chairman Molinaro, for holding this hearing. I want to thank the witnesses for being here today, and I yield my time back.

Chairman MOLINARO. Thank you, Mr. Chairman, and thank my colleagues for joining us. Let me introduce today's witnesses. First with us is Mr. Keith Wargo. Mr. Wargo is the President and CEO of Autism Speaks. Autism Speaks is a nonprofit organization that has remained at the forefront of creating an inclusive world for people with autism. Mr. Wargo, who joined the organization in October 2021, is responsible for leading Autism Speaks nationwide.

Prior to joining Autism Speaks, Mr. Wargo worked for a number of leading global financial institutions, where he developed a track record of building effective teams and helping to grow and scale businesses across sectors. Mr. Wargo was also the owner of Monarch Cyprus, an amenity manufacturer, with a mission to employ individuals with autism and developed a long-standing passion for supporting the autism community, both within the workplace and beyond. Mr. Wargo graduated from Boston College with a Bachelor of Finance degree and earned a Master's of Business Administration degree from Harvard Business School. We are grateful that you are joining us here today and we look forward to the conversation ahead.

Our next witness, as I mentioned, is Ms. Iva Walsh. Ms. Walsh is the owner of Maeve's Place, located in Phoenicia, New York. Maeve's Place has been a staple in upstate New York since it opened its doors in 2018. Inspired by her daughter Maeve, who is again with us here today, who has down syndrome, Iva founded this coffee shop as part of her mission to break down barriers for those with disabilities and change the world one cup of coffee at a time, and I have had many cups of coffee. The staff at Maeve's Place intentionally includes a mix of neurotypical and developmentally disabled individuals. The business also works with the R. Hudson Valley, an organization dedicated to empowering our disabled community on prevocational training for adults with developmental disabilities.

Ms. Walsh had a deep background in the hospitality industry prior to opening Maeve's Place, managing a catering hall. A native of Prague, the Czech Republic, she moved to Long Island—we wo not hold that against her—in 1989 before coming to the Hudson River Valley in 2003. I am tremendously grateful that you are joining us today for this important conversation and grateful that your daughter Maeve is with us.

Now let me recognize the Ranking Member from Kentucky, Mr. McGarvey, to briefly introduce our last witness appearing before the Committee today.

Mr. MCGARVEY. Thank you, Mr. Chairman. I am excited to welcome Mr. Cody Clark, the Founder and Owner of Cody Clark Magic. Mr. Clark is a professional magician, he's a motivational speaker, and he is an entrepreneur with autism. He received his diagnosis at 15 months old but was mainstreamed into his local elementary school where he received the right support and accommodations for academic success.

Today, he crisscrosses the entire country as the sole proprietor of an outstanding small business. His shows combine magic, com-

edy, and storytelling to share with his many audiences his experiences with autism, and how he is different but never lesser. Mr. Clark is also an activist for people with disabilities and draws upon his experiences to advocate vocally for anti-ableism and equal rights for his community. Mr. Clark holds a Bachelor's Degree in Marketing from the University of Louisville, and we are so glad to have you with us today.

Chairman MOLINARO. Thank you, Mr. McGarvey. If Mr. Clark can produce some magic in producing a budget, we would be thrilled with his work. Before recognizing each of the witnesses, let me just take this moment to remind them that their oral testimony is restricted to 5 minutes. If you see the light in front of you turn red, it means your 5 minutes has concluded. I will begin to tap and then loudly gavel you out of order, but I suspect that wo not happen. And if that light does kick on, please wrap up your testimony. And so with that, let me recognize Mr. Wargo for your 5 minute opening remarks.

STATEMENTS OF KEITH WARGO, PRESIDENT AND CHIEF EXECUTIVE OFFICER, AUTISM SPEAKS; IVA WALSH, OWNER, MAEVE'S PLACE; AND CODY CLARK, FOUNDER AND OWNER, CODY CLARK MAGIC

STATEMENT OF KEITH WARGO, PRESIDENT & CEO, AUTISM SPEAKS

Mr. WARGO. All right, thank you, Chairman Molinaro, Ranking Member McGarvey, Chairman Williams, and all the Members of the Committee for hosting this hearing today and inviting me to testify on this critical issue.

My name is Keith Wargo. I am the president and CEO of Autism Speaks. We are a national nonprofit organization dedicated to creating an inclusive world for people with autism throughout their lifespan. We do this through advocacy, services, supports, research, and advances in care. And as an organization, we are particularly proud of the work that we have done to develop and scale innovative solutions to help ensure that more autistic people can secure meaningful employment.

As well as my role as president of Autism Speaks, I also come to you as a father. My wife and I, Anne is my wife, are the parents of two adult children. One of whom is on the spectrum, his name is AJ. And we have observed firsthand AJ's employment journey, witnessed firsthand with him the challenges, the struggles, and the triumphs.

Also, as mentioned, prior to joining Autism Speaks, I had nearly three decades of private sector service, including and remain the owner of Monarch Towel Company. We are a hospitality amenity company based in New Jersey, which has, as part of its mission to employ autistic individuals. These experiences have cemented for me the belief in the necessity for the potential and inclusive employment for neurodiverse and other individuals with disabilities, which can be a key driver, we believe, for economic growth for our nation.

Despite the strides that have been made in the autism disability community for awareness and acceptance, we still face staggering

challenges. In 2022, only 21 percent of individuals with disabilities, including autism, were employed. That data underscores the persistent gap in the employment market. Further, over half of individuals with autism who have graduated from high school or have aged out of high school in the last two years, only half are employed or are not enrolled in any postsecondary education. This compares unfavorably with other disabilities. These statistics highlight the ongoing need for targeted employment, support and opportunities in the community. As a paradox to this, many individuals with disabilities have the skills and the desire to work, and hiring newer, diverse people benefits the companies they work for and the overall economy.

A recent study shows the companies that actively seek to employ people with disabilities outperform companies that do not. They have higher revenues, they have higher net income, they have higher profit margins. And at a national level, this analysis revealed that the US GDP could get a boost of up to $25 billion if there was more disability employment going on in the labor force. But beyond these numbers, we know that there is additional benefits that accrue at individual workplaces and our society when employers embrace inclusivity. These include increased creativity and innovation in the workplace, diminish stereotypes, and reduce social stigma and discrimination.

What I have learned through my personal experience with both my son and with Monarch, as well as through work the Autism Speaks, is that small but meaningful steps taken by employers make a huge difference. This can include changing hiring practices to considering alternative processes and interviews, which can serve as a Barrett entry for many, particularly in the autistic community. It can include providing training courses to foster acceptance of neurodiverse individuals in the workplace. And it can include major and minor changes to create adaptable workplaces through flexible schedules, making accommodations for sensory needs.

One initiative that I want to focus on for a moment is what we call Workforce Inclusion Now. This is a program we started several years ago. We call it WIN. WIN is an evidence-based workplace development program promoting diversity in hiring and helping create an inclusive workplace culture, in which not just the individuals with autism, but also all employees can thrive. The WIN model is really based on an ecosystem that has three parts. Employers that are committed to creating inclusive workplaces, autistic job seekers who have the skills and desire to be there and to succeed, and communities supported with resources that promote inclusive hiring.

Our WIN model offers scalable solutions to diverse industries nationwide. Collaborating with the Virginia Commonwealth University's Autism center of Education, we have created online courses accessible nationally. These courses emphasize support for higher need individuals, raise awareness of neurodiversity, and provide inclusive workplaces. They cater to autistic job seekers and to employment specialists, covering topics from understanding autism to self-advocacy.

And we see this model work, one example being Greif, formerly named Lee Container, which is a national leader in industrial packaging. In their Iowa facility, our collaboration led to them hiring multiple nontraditional employees. Making alongside operational changes has been a true success.

Chairman MOLINARO. Mr. Wargo, I will have to ask you to conclude. Be happy to continue that conversation and question and answer in just a moment.

Mr. WARGO. Thank you, Chairman.

Chairman MOLINARO. Thank you. And with that, we will recognize Ms. Walsh for your 5 minute remarks.

STATEMENT OF IVA WALSH, OWNER, MAEVE'S PLACE

Ms. WALSH. Thank you, Mr. McGarvey, Molinaro, Ellzey, and Williams for having me here today and I am going to go right to it. There are about 7 million people with intellectual developmental disability in the United States. Of those, 80 percent are unemployed. I am mother of adult of four adult children. 25-year-old Maeve who lives with down syndrome, as well. I have spent my life heavily involved in education and advocacy for my daughter and those with IDDs.

I became a small business owner in order to provide a meaningful workplace where Maeve, and others like her could learn, succeed and know the feeling of making their own money. A job promotes self-esteem, independence, and all around growth as contributing member of a society. Maeve's place serves breakfast, lunch, and sells retail items. We employ nine employees, two of whom are individuals with learning and developmental disabilities, offering job opportunities from kitchen staff to customer service. Located in Phoenicia, New York, our resources, transportation, and support aid, are limited and hard to access, making the obstacles for employer and someone living with IDD more complicated.

There is a huge gap between school and starting a job for people with IDDs. While most high schoolers experience weekend or summer jobs learning employable skills, a person with IDD does not often. Once people with IDDs find work, lack of access to transportation can prevent success, as most people with IDD do not or cannot obtain drivers license. Obstacles are not limited to education and transportation. Job coaches are limited and not everyone who needs one will get one. Some people with IDDs who do get work are unemployed or employed under limiting conditions. Oftentimes they are in positions with limited customer exposure, work hours, earn income limitations, and if they are working for employer under 14(c) certificate will make less than half federal minimum wage. They must learn skills for job which might not have been adopted or modified for their disability. Along with navigating in a world with limited accessibility and information.

With lack of prevocational work training and knowledge of available aid, it is up to employer to ensure the fair hiring and long-term investment into their employee. Cost efficiency, repeated training, and lack of on hand job coaches play heavy role in the end decision of hiring a prospective employee.

Obstacles to employing people with IDDs can be daunting, but the benefits are great for those who persevere. Employees with

IDD are grateful to have their jobs and demonstrate high work quality. They tend to have increased focus, attention to detail, higher enthusiasm, great customer service, and engagement and appreciation for routine, reducing turnover for the company. Maeve has been part of the business for the entirety of the process. Her growth cannot be ignored. Maeve has learned professionalism, the meaning of money, and how to be fully functioning coworker with her peers.

Partnered with ARC of Mid-Hudson Valley in their prevocational program, once a week, three to five individuals from age 20 to 40, in need of work experience and exposure, come to our shop to learn and practice different tasks from in kitchen prep to customer service. We have been told that we are the only partner location which allow the ARC individual to process sales, manage money, and to use a cash register. The partnership with ARC also brings our small community exposure to different people with different disabilities. It benefits everyone as well, as we all become more informed of the problems and solutions that people with IDDs face. In our shop, diversity it is not only appreciated, but it is celebrated.

Small businesses and rural communities need more tools in place to support efforts to employ people with IDDs. These would include internship opportunities, direct affordable transportation access, and incentives to employers. Internship opportunities such as Project Search Program in New York City would be a vital addition to our area. Another helpful tool would be to stop issuing new 14(c) certificates.

In closing, I like to consider how important your job is to you. Our jobs define us, make us whole and give us purpose. This should be achievable to every individual regardless of ability. Our society benefits when everyone has access to employment. I believe respect, opportunity, and inclusion for people with IDDs are three pillars needed to end segregation in the workforce and have growth in our community. Together, with government action, we can overcome the obstacles and enjoy the benefits, one cup of a coffee at a time.

Chairman MOLINARO. Thank you, Ms. Walsh. And with that, let me recognize Mr. Clark for your 5 minute remarks.

STATEMENT OF CODY CLARK, FOUNDER & OWNER, CODY CLARK MAGIC

Mr. CLARK. Chairman Mark Molinaro and Ranking Member Morgan McGarvey, thank you for inviting me. My name is Cody Clark Magic and for the past decade I have been self-employed on a full-time basis with my business called Cody Clark Magic. In spite of being diagnosed with autism at 15 months young and my parents being warned by doctors, I never walk, talk or hold down any sort of job, I do all three, every day, as I share magic shows and talks which educate students, corporate leadership, and young adults with disabilities about what being autistic is like.

I credit my success to many factors, but most pertinent to this meeting is the various government policies which have reduced or removed many barriers to entry. To start, I get my health insurance through the Affordable Care Act. It allowed me to remain on my parents health insurance until the age of 26. Then afterward

I was able to transition onto Medicaid because of the expansion of eligibility to include any individual with a diagnosed disability.

I was also able to navigate the COVID-19 pandemic's impact on live presentation businesses thanks to the government extending unemployment benefits to self-employed people and the SBA's EIDL emergency grants. I utilized this direct funding to create a path forward in which, through presenting shows virtually and getting business coaching to expand my client base, I could remain self-employed.

And lastly, the Rehabilitation Act in 1973's 2014 amendment called the Workforce Innovations Opportunity Act, WIOA for short, created a series of programs known as Pre-Employment Transition Services, pre ETS for short. These programs are a large portion of my client base and I admire how program participants are given the personal agency to determine their own career path, at least for the most part.

A major issue I have noticed is that pre ETS, vocational rehabilitation, and other programs of this nature are structured to support wage employment over other employment option. Which I feel is short sighted because, according to the Department of Labor, people with disabilities are self-employed at a higher rate than the rest of the population. This is likely because self-employment allows us to create our own accessible workplaces, to solve problems related to our disabilities, and offer those solutions to our peers, because many wage based positions for people with disabilities are in a sub minimum wage salary, and because Social Security's disability payments require asset and monthly income caps, few wage based positions fall within.

The main reason for my testimony today is because I feel that programs which serve work ready people with disability should, within the scope of their efforts, include self-employment as a valid employment option. This can be accomplished by plugging resources currently available from programs like SBA into existing pre ETS and vocational rehabilitation program structures, by extending pre ETS's philosophy of factoring in personal agency into all forms of disability services and to make direct support and funding of self-employed businesses as a whole a normal practice.

I am thankful to live in a country whose policies have directly enabled me to live my dream of being a professional magician and autism advocate. I testify so that the policies I benefited from can be ones other disability owned businesses can benefit from, too. By enabling people with disabilities to become self-employed, if that is their goal, we can take the blank check that we know as American life, and as our founding fathers have said all the time, we can help people with disabilities have life, liberty and full pursuit of happiness.

And by the way, there is your budget. Thank you for this honor.

Chairman MOLINARO. Thank you, Mr. Clark. I do not know if that was the first magic trick performed before the Small Business Committee, but we certainly appreciate it and we certainly could use more of that. Thank you all very much, we will now move to the Member questions under our 5 minute rule. And for that purpose, I will recognize myself for 5 minutes.

Let me offer in 2015, I launched an initiative called Think Differently in my home county, meant to break down barriers and create opportunities for all those of every ability. I readily admit it was born out of the failings of a loving but incapable father, me. Doing for my daughter the things that she could do for herself, but also the knowledge that local governments do have the profound ability to make impact. And this is an appropriate moment because I should acknowledge this came at the unyielding encouragement of my wife, Corinne, who knew our daughter could achieve the things that too often I thought that she might not.

Let me offer that we have touched thousands upon thousands of lives and really has become a model at the local level. Autism Speaks, as we acknowledge, has a similar and certainly more broad mission as it relates specifically to those neurodivergent and with autism.

According to a survey data collected from Source America, 57 percent of Americans with disabilities believe that their disability has limited their career opportunities. It is clear that we need to do more to help those of every ability find their way to jobs. Mr. Wargo, if you could, let us just speak for a moment, if you would speak for a moment of some of the lessons learned that you can share with businesses who want to employ those with disabilities.

Mr. WARGO. Yes, thanks. Thank you for that. So, I would say there is really three things that we have learned in our journey of helping companies think through a neurodiverse employment that really move the needle. The first is really rethinking hiring processes. For many in the autism community, communication challenges exist. And so the traditional employment interviews that most of us have gone through, in some points in our lives, oftentimes are very challenging and are a barrier. And so we try to encourage companies to think about alternatives to those. One example would be practical skills applications, bringing somebody in, giving the opportunity to apply those practical skills versus a traditional just going back and forth, asking and answering questions. But I would say particularly with enhancements in technology, Zoom, video, et cetera, there are other ways of approaching it, but thinking about that fundamental hiring process just differently.

The second thing I would say is back to the workforce development training programs, such as I talked about with WIN, we think are highly effective, and they are not just highly effective for the job seeker. What we try to do in those programs is to introduce them to everybody. From the most senior management to human resource areas to really frontline workers. And we think that really creates a much more accepting and embraced universe. We have a lot of companies now are coming to us and saying we want our entire staff to use these.

And then the final one, I would just say, is looking for opportunities to create a more accessible workplace. Sometimes that is difficult. A lot of times it is really not. To make accommodations in a workplace can mean simply addressing lighting. It can mean simply addressing some noise issues, to allowing job coaches, more flexible hours, et cetera. All that can make a huge amount of difference both for the individual job seeker and for the company and

have the opportunity to have that efficiency and have that opportunity to grow their team.

Chairman MOLINARO. Thank you, Mr. Wargo. Ms. Walsh has noted 20 percent of those with disabilities are employed, meaning that 80 percent are unemployed. And it is simply inexcusable as a society. Could you speak to some of the obstacles that you confronted in growing your business?

Ms. WALSH. Well, everybody knows that there is an extreme shortage of employees, but the people with all different kinds of disabilities are pretty much lined up. They all, that I have experienced, would love to have a job. Now for us, it is a little bit difficult. Transportation getting to us, it is a little bit of an issue. When I am hiring people to my coffee shop, people with disabilities, it is a little bit different hiring process. I am not going to ask, this is what I need you to do, but my question is what you are at best, what you can do, what is your best thing that you do? And then we go from there. People without disabilities, the question first that I would ask is, can you work shoulder to shoulder with somebody with all different kinds of disability and ability. A lot of people might be uncomfortable. And I said, please voice out, whatever it is, and let us see if we can help you cross the bridge. And, you know, you are going to be surprised how much you are going to enjoy really working with somebody who has some sort of disability.

Chairman MOLINARO. Thank you, Iva. My time has expired, but I do want to thank you. And with that, I would like to recognize Mr. McGarvey for 5 minutes.

Mr. MCGARVEY. Thank you, Mr. Chairman. Thank you again for sharing your stories with us. Thank you all for being here and sharing your stories. This is really inspiring. Mr. Clark, thank you. I have not been here very long, but I am just going to go out on a limb and say that is the best magic trick ever performed in the Small Business Committee. So we appreciate you——

Mr. CLARK. Thank you.

Mr. MCGARVEY.—you being here. Thank you also for telling us about a vulnerable time for your business during the pandemic. I think that is something that is small businesses across our country experience, regardless of where you are or who you are, and I am glad to hear that you were able to navigate that with the resources available to you.

I think the beauty of owning a small business is what you are talking about. And what I hear from you, Iva as well, with one cup of coffee at a time. It is that ability to showcase your passions, to put your dreams out there, and hopefully find success. I think that is why we need to continue to work to promote opportunities for self-employment. I think it is why we have to continue to decrease these barriers to entrepreneurship and make sure that everyone has access to the support they need to start their own business.

Mr. Clark, one of the things you mentioned was access to affordable health insurance as a key driver of your ability to start a business or even just keep stable work. If you did not have access to health care, that met your needs, would you be able to consider working or owning a small business?

Mr. CLARK. Very unlikely, because although not impossible, it is much harder for self-employed businesses to find affordable health insurance, given the way most health insurance companies work. So there would have been a lot more barriers present than with the Affordable Care Act. And what that has done for me is allowed me to have the health insurance and take a major expense off the table.

Mr. MCGARVEY. And I will give my home state a plug here. Kentucky did a wonderful job implementing the Affordable Care Act, and we have had a lot of people benefit from it. How important was that to you in preserving and expanding the access to health care, that entrepreneurs and employees with different abilities need?

Mr. CLARK. Well, being able to not just have access to affordable, or, in my case, free health insurance, but to be able to make it as easy and plain as day so that we do not have to sacrifice time. We could be building our business to instead go find health insurance. That is freeing in multiple senses of the word.

Mr. MCGARVEY. Thank you for that. I am going to open this up to the whole panel. I am a lawyer by training. They say in court, never ask a question to which you do not know the answer. This is not court. This is one where we do not know the answer and we want it. We want you to tell us, which is, you all have a lot of expertise, and as we all know, workers with disabilities, they add tremendous value to the businesses they serve. Too often, though, employers are unaware of this fact, I think, and they might choose not to hire an applicant with differing abilities. How can we best engage businesses on the benefits of hiring people with disabilities and moving past misguided reservations, particularly from a policy standpoint. I just open it up.

Ms. WALSH. I will go. I think really by employing people with disabilities in communities and show everybody else around is quite possible and it is really beneficial to business. As I mentioned before, it is a long-term investment in your employee, but once you really go past the training and everything else, they will never leave you. You are going to have amazing employee for life. So really showing that to community and modifying a job or—that is just really what is needed.

Mr. WARGO. Yeah, I mean, I was looking at the SBA information about diversity employment and neurodiverse employment last night on the website. I thought it to be quite impressive. So I say there is a good start there. I would say it is enforcing and encouraging policies that will provide benefits, tax incentives, et cetera, to programs.

But importantly, I think one thing I want to emphasize is, that oftentimes a lot of programs are designed to provide an upfront payment to make an accommodation, whether it is a physical or otherwise. In some in our community, particularly in the autistic community, what is more appropriate is ongoing support. So whether that is a job coach or some kind of training that continue on, assisted technology, and that sort of thing being put in place up front is fantastic for many, but it is not applicable to both. So that kind of flexibility of thinking through the different needs there

as we design programs that have benefits and incentives are important.

Mr. MCGARVEY. Thank you. My time is up. I yield back.

Chairman MOLINARO. Thank you. With that, I would recognize Representative Ellzey from Texas.

Mr. ELLZEY. Thank you, Mr. Chairman. Thank you all for being here today. I walked in the building and looked at the line wrapped around the Judiciary Committee room today, a bunch of doom scrollers waiting to see some fireworks. We have had hearings like this, especially in Small Business, where we are inspired by the people who show up in front of us. And if you want to talk about the goodness of America, you all three represent that, and everybody in the audience does too. I wish those people would stop waiting in line to see bad things and come up here to see good things.

Integration and inclusion must be central to any of these initiatives we are talking about. One of the barriers individuals with disabilities face is bias from employers in the hiring process. Often education and training programs for individuals with disabilities are done in isolation, and as a result, individuals responsible for hiring do not understand the idiosyncrasies of individuals with disabilities and often misinterpret them. And as a veteran myself, that sounds like a very familiar refrain from a very large and willing group of people who want to work hard, both veterans and the folks that we are talking about today, and they are an untapped resource for this country.

I would like to start with Mr. Wargo. If kids are in school, kids with disabilities like your sons, are in school sometimes until 21, what is one thing, in our limited time, that K through 12 could do better to integrate and prepare young folks for employment?

Mr. WARGO. Thanks for your question. I think that the one thing that would make a material difference would be to start vocational rehabilitation earlier. Vocational rehabilitation—and we work closely with numerous VR systems through our work. But they are underfunded, they are under resourced, and depending on the area of the country, it can be a real desert, a real pocket. That starting early in the high school years, making it part of a student young individual's IEP and trying to map out that destination together, VR can be a very important part of that. I think that would be the one thing I would point to.

Mr. ELLZEY. Thank you very much. Ms. Walsh, ahoy, dobry den. Glad you are here. Mr. Chairman, I think we made a mistake here. We should have taken the 5 hour and 20 minutes road trip up to Phoenicia, to Maeve's place, because I have been perusing your website, and in addition to Maeve having a beautiful smile, that is, I am sure, drawing everybody into your shop. I see this cake here, and I do not know what that is, but I am suddenly very hungry. And I have been looking at the five-star reviews of your shop, and I think it points to, when you talk about folks like Maeve. Outstanding customer service, a beautiful smile, joie de vivre—that is from Texas. I know what that means. But the wonderful environment that you have provided your customers, and your daughter is an inspiration to all of us, and so I want to do a CODEL. If I may suggest a CODEL to Phoenicia. It is 5 hours and 20 minutes. We do have to drive through New Jersey, but I

am willing to take that adventure and go do that. So thank you for being here.

Mr. CLARK. Without objection, so approved.

Mr. ELLZEY. So truly an inspiration, Maeve. You are an inspiration, too. And, Cody, did you tell me that your doctors said that you would never speak?

Mr. CLARK. Oh, I am repeating what my parents told me, but, yep, that is what they have told me happened.

Mr. ELLZEY. That doctor needs to have that license pulled because one of your gifts is the ability to speak. And I have been looking at your website, too, by the way. Anybody listening looking to employ Cody? It is codyclarkmagic.com, so check it out. Give him a holler. You, too, are an inspiration, too, because you have literally pulled yourself up by your bootstraps. I do not think anybody would have any idea that at 15 months, how you were diagnosed, and so the love of your parents—are your parents here?

Mr. CLARK. Unfortunately, they could not make it here. They are at home in Louisville. But I have a feeling, based on my phone vibrations, they watch the live stream.

Mr. ELLZEY. Okay, and what are their names?

Mr. CLARK. Andrew and Christy Clark.

Mr. ELLZEY. Andrew and Christy, thank you for not giving up on your boy and helping him out. This is kind of an emotional type of a hearing, and I am so proud that you have put this together, Mr. Chairman. Mr. Chairman and thank you all for being here. I yield back.

Chairman MOLINARO. Thank you, Mr. Ellzey. I would note that Mr. Clark speaks better than, I mean, some Members of Congress, not all Members of Congress. With that, let me recognize my colleague from California, Ms. Chu.

Ms. CHU. Thank you all for testifying today. You certainly give compelling testimony as to why we should encourage people with disabilities to become entrepreneurs and also why we should hire people with disabilities.

Mr. Clark, your business has led you to interact with a number of vocational rehab programs and services which help young people with disabilities identify their career goals and prepare for employment as they enter adulthood. However, I was concerned to hear you say that many of these programs do not seem well equipped to provide students with information about starting a small business. Considering that many people with disabilities choose to become self-employed, it is crucial that we ensure that they have all the information and resources that they need to make the best decision for their futures.

So when you decided to pursue entrepreneurship and begin the process of planning and launching your business, what resources did you take advantage of? And how should today's vocational rehab programs be expanded to include business development and entrepreneurial skills resources?

Mr. CLARK. Great question, Ms.—is it, Chu?

Ms. CHU. Yeah.

Mr. CLARK. Great. Great question, Ms. Chu. I was given a vocational rehabilitation counselor by my high school, but unfortunately, they pretty much admitted all we can do for you is get you

state funded driving lessons. Although, given that Mr. McGarvey is right, I do travel all over the country through driving and flying. That was a big help. But otherwise, they were like ehh. So the good thing about these programs is that they are already well structured. So all they have to do is include the SBA alongside, including the local businesses that also come into these programs. The structures are there. We just need to plug SBA counselors in, other self-advocates like myself in, and potentially colleges of business.

Ms. CHU. Very good. And also, Mr. Clark, you talk about not being able to qualify for Social Security disability insurance. There is a complex set of rules and regulations, including strict income and asset limitations. And they govern the public's access to benefit programs such as SSDI, Medicare, and Medicaid. And yet these programs can be essential to ensuring that people with disabilities can meet the cost of living.

But you talk about the fact that the asset requirements are so low that you and your family have almost never qualified. So based on your experiences helping young people with disabilities as they transition to adulthood, how have you seen these income and asset restrictions influence the people with disabilities to decide whether to launch a small business or join the workforce? How do you think these asset restrictions should be changed so that people with disabilities can be helped as they pursue their dreams?

Mr. CLARK. Well, with this being the Small Business Committee, I am sure we would understand that restricting yourself to 6 thousand in assets, not cash, but assets, period, in exchange to receive only 19 thousand a year, that is not a good business deal by any measure. And a lot of people with disabilities are having to choose, not just between self-employment and receiving Social Security, but any employment and receiving Social Security. So it should at least be raised from 6 thousand. And in an ideal world, there should be no limit. But I know it is not an ideal world, but one that is way higher than it is right now. And although this is not quite a business issue, there is lots of people with disabilities who can not even get married because it is the joint couple's income that is considered in that.

Ms. CHU. And Mr. Clark, right now, many employees with disabilities are paid at or even below $3.50 an hour, which is under half the federal minimum wage of $7.25 an hour. What do you think about this and should employers pay so much less than what the minimum wage is?

Mr. CLARK. My simple answer there is no. We should be, at the very least, at the same minimum wage as the rest of our country citizens are, and ideally paid to reflect our true worth. That is a big reason I considered self-employment, because along with the risk is the reward of no income limits at all. And that is one reason such a high percentage of us are self-employed. If the only other options are a three buck wage and the abuse from employers that invites, might as well go big and own a business.

Ms. CHU. Thank you. I yield back.

Chairman MOLINARO. Thank you, Ms. Chu. With that, I recognize Chairman Williams from Texas for five minutes.

Mr. WILLIAMS. Thank you, Mr. Chairman. This is a great hearing. We are so glad you all are here. And Mr. Wargo, your testi-

mony makes it clear how the beneficial Autism Speaks WIN program is, for both employers hiring people with disabilities and individuals seeking employment. So can you tell us about the economic and cultural benefits of hiring individuals with disabilities? We have talked a lot about that, but I know there is more that we can talk about. So if you would do that.

Mr. WARGO. Yes, most certainly. So, just a couple of statistics. One in 45 adults in this country are autistic. We have 5.4 million adults in the population who have been diagnosed with autism, and we have strong reason to believe that that is an underrepresented number. And there are 70 to 100 thousand students, or young adults, every year that age into that, you know, come out of the school system at 22. So we have a huge population there that is ready.

Again, what we have found through our research and through studies is that organizations benefit from an increased productivity, their financials are stronger, and that individuals who are autistic, or with any IDD on their staff, to increase loyalty, increase innovation, and increase efficiency, once often small accommodations are made. So, at the end of the day, we look at it as being something that is an opportunity for a huge win. And again, the number that is put together by an Accenture report recently was that the potential upside of increased disability hiring could be a $25 billion increase in productivity to the U.S. economy.

Mr. WILLIAMS. Well, that is big because so many of us are looking for employees right now. Ms. Walsh, some of the most successful American businesses were built around a need that a company's founder saw in the market. Maeve's Place is no exception. You saw a need for employment opportunities for people with disabilities and built your company around that with your daughter in mind. So, can you please tell the Committee about how working with Maeve's Place has benefited your daughter and all the people that you employ, both those with disabilities and those without?

Ms. WALSH. Well, for Maeve, she learned really how to navigate herself in a community with her peers, how to act properly in social settings, and also she learned the benefit of making her own money. She loves opening her wallet and see money in there.

Mr. WILLIAMS. She is a capitalist.

Ms. WALSH. If she does not see money in her wallet, she said, I have to go back to work. And until then, you know, learning this in school and pretending play, so to speak, how you work, what do you do that really did not click. Really being in a job place and doing a real thing, that really made a huge difference for her. With other employees that we employ, or they came through our store through last couple of year, it is the same thing. Gives tremendous self-confidence, allows you to really blossom, and the limitations limits are sky high.

Mr. WILLIAMS. Well, thank you for that. And Mr. Clark, in the time I have remaining left, what denomination was that bill?

Mr. CLARK. The denomination? It was a Ben Franklin.

Mr. WILLIAMS. Can I order a $5 thousand bill from you?

Mr. CLARK. I am working on that.

Mr. WILLIAMS. So here, really quick. It was great hearing your testimonies we have all talked about and having you share your

story with anyone that might be watching this hearing today. It is a great story. And I see so many young people that are afraid to take a chance and bet on themselves and become an entrepreneur. And that is the great thing about America. We are all capitalists. We are entrepreneurs. You mentioned risk, but you got reward, and that is what built this country. And I appreciate you being one person that understands that. It is a prime example of it. And too many people have lost hope and do not even know where to start as they look to self-employment opportunities. They get a government check instead of getting a check, like Maeve does, and make it. So, what message would you have to other people that may have a disability as they are thinking about starting their own business?

Mr. CLARK. That it is definitely a risk. Be aware that it is a risk. It is indeed not as guaranteed as getting a check, but also be aware that the reward is there. And that, although not easy, there is lots of training resources from the SBA, from vocational rehab, from pre ETS, even as we are talking about how they can be improved, and from the private sector. There is plenty of people who are there willing to support you. And kind of like how I was reassured knowing my parents supported me, I hope that our citizens with disabilities who want to become self-employed and own businesses, can be reassured knowing that their government supports them.

Mr. WILLIAMS. Well said. Mr. Chairman, I yield my time back.

Chairman MOLINARO. Thank you, Mr. Chairman. We are going to, because I care deeply about this issue, going to open up for a 1 second round. I have one question I am going to leave open for the three witnesses. And I think, out of respect to all of my colleagues, if you have a second round and wish to keep it somewhat abbreviated, we will try to do that.

I know this firsthand, the power of seeing my daughter achieve not only as a benefit to her, but the people around her. We know this, that by employing those with disabilities, we not only empower them as individuals, we see the humanity that each person can bring to a workplace, but the workplace benefits.

And so, in my only question in this last second round. If the three of you could, could you give voice to either your child or the employees? They are not at the witness table. For an employee or an individual living with a disability, what is the one thing that they would want you to tell us we ought to pay attention to, in order to break down a barrier and create a job opportunity? Mr. Wargo.

Mr. WARGO. Thank you for the question. So I will comment from the context of my co-ownership of Monarch Cyprus, where we hire—we have four individuals on the spectrum who work in our organization of 23. And I think what any of them would share was, number one, how valuable that has been to them to have this experience. All of them came directly out of vocational rehab Programs. The value of the experience that they've had for them, the purpose, and integrity it has brought to them, in their time with us, the ability to continue to grow. And we have been very dedicated to trying to make sure that increased skill sets along the way as well. That it has been just something that has been incredibly valuable

and that programs like VR and job coaching have made that happen, as well as our dedication to doing it.

Chairman MOLINARO. Thank you. Ms. Walsh, what would Eric Wolf want us to know?

Ms. WALSH. Well, Eric would say that—actually I do not have probably any other employee than Eric, who would text me ahead of time and telling me how much he can not wait to come back to work tomorrow. So this is—and he is example of employees with learning disabilities. They just loyal employee. Just give them opportunity and they can show you they can shine just like everybody else.

Chairman MOLINARO. Thank you. Mr. Clark, you have been very good at articulating your story. What would your adoring fans want us to know?

Mr. CLARK. Just in general or about anything specific?

Chairman MOLINARO. About what we can do to make opportunities more abundant for folks like yourself.

Mr. CLARK. Give self-employment a seat at the table. It can be as simple as inserting the Small Business Administration into the existing pre ETS structures, or it can be as complicated as more direct funding for small businesses, especially within the disabilities community. And making sure there is more awareness of what the SBA does. I only ever received help from them one time, and I have only learned, because of Mr. McGarvey, how much I could have done. And also that website could use a lot of updating. It is tricky to navigate.

Chairman MOLINARO. Mr. Clark, on that there may be unanimous agreement. We have spent a lot of time talking about that platform. With that, I want to thank all of our witnesses. I yield back my time. And thank all of our witnesses for your testimony today and appearing before us and on behalf of those you speak for. We are very grateful that you would spend time enlightening and informing us.

Without objection, Members each have five legislative days to submit additional materials and written questions for witnesses, to the Chair, which will be forwarded to the witnesses if submitted. Now, I would ask the—oh, I am sorry. I apologize. Oh, yes. So I would ask witnesses to attempt to respond promptly, should we provide you with those questions.

And if then, there is no further business, without objection the Committee is adjourned.

[Whereupon, at 11:03 a.m., the subcommittee was adjourned.]

APPENDIX

Small Business Committee

Subcommittee on Innovation, Entrepreneurship, and Workforce Development

January 30, 2024, at 10 am – Rayburn 2360

Hearing on *Pathways to Success: Supporting Entrepreneurs and Employees with Disabilities*

Testimony by Keith Wargo – President and CEO, Autism Speaks

Thank you, Chairman Molinaro, Ranking Member McGarvey, and all Members of the Committee for hosting this hearing and for inviting me to testify on this critical issue.

I am Keith Wargo, President and CEO of Autism Speaks, a national, non-profit organization dedicated to creating an inclusive world for people with autism throughout their lifespan. We do this through advocacy, services, supports, research, and advances in care. As an organization, we are particularly proud of our work to develop and scale innovative solutions to help ensure that more autistic people can secure meaningful employment.

Alongside my role as President and CEO of Autism Speaks, I am also here as a father. My wife, Anne, and I are the proud parents of two, including our autistic son AJ. We have observed AJ's employment journey, witnessing challenges and triumphs. Prior to joining Autism Speaks, I spent nearly three decades in the private sector, including as an owner of Monarch Towel Company, a hospitality amenity supplier based in New Jersey that has made it a mission to employ autistic people. These experiences have cemented my belief in the necessity and potential of inclusive employment for the neurodiverse and other individuals with disabilities, which can be a key driver of economic growth across our nation.

Despite strides in autism and disability awareness and acceptance, we still face significant challenges in inclusive employment. In 2022, only 21% of people with disabilities, including autism, were employed[1]. This data underscores a persistent gap in the job market. Further, over half of young adults with autism face unemployment or are not enrolled in higher education in the two years after high school, which is a higher rate compared to their peers with other

[1] Bureau of Labor Statistics, Department of Labor. Persons with a Disability: Labor Force Characteristics – 2022. February 23, 2023. https://www.bls.gov/news.release/pdf/disabl.pdf.

disabilities[2]. These statistics highlight the ongoing need for targeted employment support and opportunities in this community.

However, many individuals with disabilities have the skills and desire to work, and hiring neurodiverse people benefits the companies they work for, and the overall economy.

A recent study showed that companies that actively seek to employ people with disabilities outperform businesses that do not. Their revenues, net income and profit margins were all higher. At the national level, this analysis revealed that the U.S. GDP could get a boost of up to $25 billion if more people with disabilities joined the labor force[3].

Beyond the numbers, there are many additional benefits that accrue to individual workplaces and our society when employers embrace inclusivity. These include increased creativity and innovation in the workplace, diminished stereotypes, and reduced social stigma and discrimination.

What I have learned through my personal experience with both my son and with Monarch, as well as through our work at Autism Speaks, is that small, but meaningful steps taken by employers can make a significant difference. This can include changing hiring practices to consider alternative processes to interviews, which can often be a barrier for many talented autistic job seekers. It can include providing training courses to foster acceptance of neurodiverse individuals in the workplace. And it can include making minor changes to create more adaptable workplaces through flexible schedules or making accommodations for sensory needs.

One initiative I wanted to focus on today is our Workplace Inclusion Now program, or as we call it – WIN. WIN is an evidence-based workforce development program promoting diversity in hiring and helping create an inclusive workplace culture in which not just autistic adults, but all employees, can thrive. The WIN model is based on an ecosystem of three pillars (1) employers committed to creating inclusive workplaces; (2) autistic job seekers who are empowered with the

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[2] Roux, Anne M., Shattuck, Paul T., Rast, Jessica E., Rava, Julianna A., and Anderson, Kristy A. National Autism Indicators Report: Transition into Young Adulthood. Philadelphia, PA: Life Course Outcomes Research Program, A.J. Drexel Autism Institute, Drexel University, 2015.

[3] "Getting to Equal: The Disability Inclusion Advantage" Accenture, the American Association of People with Disabilities, Disability:IN, 2018.

tools they need to succeed and (3) communities supported with resources that promote inclusive hiring.

Our WIN model offers a scalable solution for diverse industries nationwide. Collaborating with Virginia Commonwealth University's Autism Center for Education, we have created online courses accessible nationally. These courses, emphasizing support for higher-needs individuals, raise awareness of neurodiversity and promote inclusive workplaces. They cater to autistic jobseekers and employment specialists, covering topics from understanding autism to self-advocacy.

We have seen our model succeed with Greif, formerly Lee Container, a global leader in industrial packaging. In their Iowa facility, our collaboration led to hiring multiple non-traditional candidates. This success followed a WIN training for management and other employees, alongside minor operational changes, such as allowing for part-time employment. These adjustments not only helped autistic employees thrive but also benefited the entire team. Importantly, this inclusivity extended to hiring veterans and seniors, enhancing productivity and morale across the facility. This is not just a feel-good story; it is a testament to the tangible benefits of inclusive hiring. We are actively expanding WIN, partnering with employers in various states to bring this solution to more communities.

I urge this Subcommittee and Full Committee to continue its work beyond this hearing to advance policy solutions that will expand employment opportunities for individuals with disabilities and support small businesses in creating inclusive workplaces. Your partnership is crucial in this work, and we stand ready to assist you in your efforts however we can.

Thank you, Chairman Molinaro, Ranking Member McGarvey, and all Committee Members, for this opportunity to share our insights and experiences. I look forward to answering any questions you may have.



5569 State Route 28
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Owner: Iva Walsh

Introduction

Good morning.

There are 33,185,550 small businesses in the United States. Small businesses employ 61.7 million Americans, totaling 46.4% of private sector employees. Across the country, they are closing because they can't staff their operations.

There were approximately 7 million people with intellectual or developmental disabilities in the United States in 2019. Of those, 19% or 1.4 million people received at least one long-term support or service in addition to case management and 80% of them are needlessly unemployed.

My name is Iva Walsh. I am the mother of four adult children including 25-year-old Maeve, who lives with Down Syndrome. Since Maeve's birth I have spent my life heavily involved in education and advocacy, paving the road not only for my daughter but for others with intellectual and developmental disabilities, hereafter referred to as IDDs. I have fought for every educational opportunity I could get for Maeve and have dedicated my life to continuing the discovery and creation of opportunities that will make Maeve a successful person and a productive member of society.

I was forced to become a small business owner because other business owners were unable to provide a workplace in which Maeve and others like her could succeed. When she was an early teen, we began a business called Maeve's Pretty Face in which we, with Maeve's active participation, created beauty lotions and soaps, manufactured them, packaged them and sold them.

In 2003, Maeve was the very first child with a developmental disability to ever attend Margaretville Central School where she graduated with a certification of completion in 2016. When Maeve finished her formal education at school it became apparent that we needed to do more; not just for Maeve but for others who have IDDs in the rural Catskill Mountain region of New York State.

So, I opened Maeve's Place, a small dine-in or take-out coffee shop serving breakfast and lunch and selling retail gift items in Pine Hill, NY. We outgrew our first space and expanded with a new shop in Phoenicia, NY. Today Maeve's Place employs 9 employees, 2 of whom are individuals with learning and developmental disability. We are connected with dozens of agencies in the region and seek others with IDDs who are eager to be trained for and accept jobs in our region.

Our coffee shop presents an array of job opportunities including kitchen support staff, Handling prep work, slicing ingredients, making juices, baking, and portioning using a scale. Counter work includes processing sales, handling money and customer service. Our employees take care of price labeling, keeping inventory, and also branding our paper to go bags and food containers.

I was asked to speak directly about the vital and growing workforce for people with disabilities and to examine the role that entrepreneurs and employees with disabilities play in the workforce. What can we do better? What do we need? How can we empower employees with disabilities in the workplace?

In my experience with Maeve and my experience as an entrepreneur, I have discovered the incredible benefits of working with people who have IDDs. I have also discovered the daunting obstacles that prevent most employers from engaging these people in their operations and I can tell you how you could eliminate some of those obstacles and help these people become productive members of a society in desperate need of qualified and dedicated workers.

Testimony

Maeve's Place coffee shop is located in Phoenicia, a small hamlet of 300 people, in Ulster County of New York State. About 120 miles north of NYC in the Catskill Mountains. Our story begins when we moved up here in 2003, where Maeve joined Margaretville Central School to start her education at 5 years old. Maeve was the first child with Down Syndrome to ever enroll into our school district. As a team, we worked very closely with the school to make sure Maeve's

education was as mainstream as possible and always pushed for her inclusion. She received a certificate of completion from MCS in 2016 at 18 years old.

Our entrepreneurial mission began while she was in school trying to plan ahead for her future. What do we do once the school bus stops coming? Where will Maeve work? Which job opportunities are available and accessible to her? Which skills has she learned during school which are applicable to joining the workforce? Will she succeed and will she feel fulfilled in life?

And that's why we're here. If our kids can imagine themselves in the workforce, then why can't the workforce imagine having them? Earning your own way promotes self-esteem, independence, and all-around growth. There's a feeling to be had when you know that "I make my own money."

But the obstacles to work for both the employer and the employee are immense. There is a huge gap between school and starting a job for people with an IDD. For example, most high schoolers of the typical population experience work during weekends or summer jobs. People with an IDD do not have the same opportunity to do so. Employability skills should be taught and practiced at school before they go out into the world. They do not get to learn and experience many real work skills until and if they are hired somewhere. Most people struggle not only with the opportunity to work but also with access to transportation due to the fact that many people with an IDD do not/cannot obtain their driver's license. Particularly in a small area like ours, public transportation is extremely limited.

Once an individual with an IDD graduates/finishes school they will begin to look for a job coach to help them navigate around their work needs. A job coach helps smooth the way from employment application to successful tenure by working with the individual on a regular basis. Unfortunately, job coaches are limited and not every individual will receive access to one. This is where businesses, owners, and employers play a role in offering work opportunities.

There are approximately 7 million people in the United States who have an intellectual or developmental disability with as many as 200 million on a global level. Of that population, 80%

who are of working age are unemployed. People with an IDD who are in the working 20% are employed under limiting conditions. Often times they are in positions with lower than minimum wages, limited customer exposure, receiving less work hours, and/or have asset and earned income limitations. They must learn skills for a job which may not have been adapted or modified for their disabilities along with navigating in a world with limited accessibility to information and aid. With a lack of pre-vocational work training and knowledge of available aid, this presents the employer with the task of fair hiring and long-term investments into their employee.

Under section 14(c) of the Fair Labor Standards Act, employers of workers with disabilities may receive a special certificate from the Department of Labor's Wage and Hour Division to pay less than the federal minimum wage. However, it puts no limit on how much less. A report in 2020 from the US Commission on Civil Rights showed that Americans with disabilities working at 14(c) certificated employers received less than half the federal minimum wage. At this wage rate, it makes no sense to overcome all the other employment hurdles out there.

Another obstacle to navigating a work life includes weighing out the options of working for an employer vs losing their supplemental security income. Keep in mind, there is a combined limit of how much SSI an individual receives plus their wages without losing their SSI.

The task falls onto small business owners like myself to adapt, think creatively, and lay down the path to change this. No one gave me a manual on the best way to tackle these issues. As an employer, there is no power point presentation outlining incentives for me to hire someone with an IDD. There is no cleared path for protocols on hiring and retaining your employees with IDD. There are biases in the hiring process from employers because they do not know the correct questions to ask, or what is available to them as an incentive such as a work opportunity credit.

Understandably, employers will pro & con each prospective employee. It is no surprise that many uneducated and inexperienced employers will have a stigma and predisposed judgment of individuals with IDD. Cost, efficiency, repeated training, and lack of on-hand job coaches for those who need them play a heavy role in the end decision. Many do not realize that making work available and giving the opportunity to those with an IDD is a win-win situation on many fronts.

We opened the coffee shop in 2017 with the sole purpose of giving Maeve a place to work and hoped that it would gain enough traction to be a place of employment for others in her similar situation. A few short years later, COVID-19 turned everyone's world upside down. During the midst of it all, we changed locations and reopened in late 2020. As a small business trying to survive during those years with increasing operating costs, increased costs of goods, and having a very limited work force it was not easy. Knowing that our mission would be to give employment opportunity to those with IDDs I had to consider every application coming into the door. Is the prospective employee able and willing to work? Is this an appropriate work environment? Will the success of the business be compromised or balanced for continued mission fulfillment? It is a daunting task.

While the obstacles to employing the IDDs can be daunting, the benefits are great for those who persevere. Statistics show IDD employees are grateful to have their jobs and demonstrate high work quality, motivation, attendance and loyalty that is second to none. What kind of worker is an individual with an IDD? I can speak to this directly from experience and will touch on some of my favorite and most valued characteristics of an employee who has an IDD. Employees who are happy in their jobs are likely to stay in those positions for much longer than their non-disabled peers. A 2018 study found that companies that hired adults with disabilities improved their employee retention and reduced turnover. Employees with an IDD tend to have increased focus and attention to detail, higher enthusiasm, great customer service and engagement, and amazing attendance that stems directly from their appreciation for routine.

Maeve has been a part of the business for the entirety of the process. From painting walls, stocking inventory, taking and executing orders, and participating heavily in the kitchen. Her prominent growth cannot be ignored. Maeve has learned professionalism, the meaning of money, where money comes from, and how to be a fully functioning coworker with her peers.

We are partnered now with the ARC of Hudson Valley in their pre-vocational training program. Once a week 3-5 individuals ranging in ages from 20 to 40 years old in need of work experience and exposure come to our shop. They have the opportunity to learn and practice different tasks of our operation. This includes anything from in-kitchen prep to customer service.

We have been told that we are the only partner location which allows the ARC individuals to process sales, manage money, and to use the cash register. For example, our POS system has been designed to be user-friendly for people of any ability. We have modified the POS system with people like Maeve specifically in mind. Modifications include but are not limited to picture dominant screens, simplified options or customizations, and clear food order printouts in the kitchen which allow for easier navigation, concise communication, and cleaner execution. In comparison to large companies and chains, we do not have the same accessibility to multiple and new technologies such as self-ordering kiosks or screens all over the store to aid our employees. The partnership with the ARC pre-vocational program benefits more than just the individuals enrolled in the program. Our small upstate community experiences exposure to different people with different disabilities. It benefits everyone as we all become more knowledgeable to the adversities and solutions that people with IDDs face. In our shop diversity is not only appreciated but also celebrated.

We have to stay creative and mindful as to which things we can modify and adapt. We make sure to expose everyone to different tasks and then build on their strengths to find the most appropriate job for them to do. I don't even like to use the term "disability," I prefer "ability" instead. We all have different abilities and there are many doors to be opened. We have the keys, we just have to find out which keys fit into which doors.

Government has a role to play in removing obstacles to achieve success. To move forward with progress in this area, small businesses and rural communities need more tools in place to be able to collaborate and support this effort. These would include internship opportunities, direct, affordable transportation access that can actually get a person from home to job and back. We need reforms of government bills, and incentives to employers. Internship opportunities such as the Project SEARCH program of New York City, which is a one-year employment preparations transition-to-work program that combines classroom instruction and career exploration through on-site internships are helpful. A program like this would be a vital addition to our area. Currently, it covers only the immediate NYC five boroughs.

Another helpful tool to enrich the workplace of individuals with IDD would be the prohibition of issuing new 14(c) certificates allowing the working individual to earn the same wage as their peers. Passing the "Transformation to Competitive Integra Employment Act" would help individuals to transition into the mainstream workforce and end segregation.

Finally, the employers need the correct tools to hire and employ people with IDD. The hiring process has already begun to shift. Employers are changing their hiring practices and are considering a candidate's unique skills rather than searching for someone to fill a broad list of requirements. A common modification to this process can be video resumes where the applicant can effectively emphasize their strengths and the skills which they can bring to the job. Employers are starting to realize that an individual with an IDD is often times a stellar example of an employee.

In closing, I'd like you to consider how important your job is to you. Our jobs define us, make us whole, and give us purpose. This should be achievable to every individual with all different kinds of abilities. To have a dream job should be available to everyone. Our society benefits when everyone has access to employment. I believe respect, opportunity, and inclusion for people with IDDs are the three pillars needed to end segregation in the workforce and have growth in our community. Together, with government action, we can overcome the obstacles and enjoy the benefits, one cup of coffee at a time.

I am deeply grateful for the opportunity to speak with you today, I would be happy to entertain any questions you may have.

Viewing Self-Employment as a Valid Career Path for People with Disabilities

A Testimony to the U.S. House of Representatives Committee on Small Business's Subcommittee on Innovation, Entrepreneurship, and Workforce Development by Cody Clark

I am honored to be invited by Chairman Marc Molinaro and Ranking Member Morgan McGarvey to share my testimony. My name is Cody Clark and for the past decade, I've been self-employed on a full time basis with my business called "Cody Clark Magic". In spite of being diagnosed with autism at 15 months young and my parents being warned by doctors I'd never walk, talk, or hold down any sort of job, I do all three every day as I share magic shows and talks which educate K-12 and college students about what autism entails, assist corporations in effectively integrating employees with disabilities, and help young adults with disabilities gain the life skills needed to become successful adults.

I am grateful to be successfully self-employed for an entire decade and counting. Along with my passion for the art of magic, personal knowledge of the needs befalling people with disabilities at present, and the business knowledge gained from my University of Louisville Bachelor's degree in Marketing + Theatre Arts minor, I also credit this to the government policies which have reduced or removed many barriers to entry for me. To start, this includes two facets of the Affordable Care Act: in my business's earliest years, I was able to remain on my parents health insurance policy until the age of 26. Once I reached this age, I applied to Kentucky's Open Enrollment Marketplace and was pleasantly surprised to learn that, to this day, I can receive Medicaid at no cost due to the state by state opt-in option to expand Medicaid benefits to include, among other categories of people, any individual with a disability diagnosis - regardless of what additional disability benefit services they do or don't utilize. For many reasons, there are additional challenges to getting health insurance as a self-employed business owner with policies typically being more expensive than those for wage earning employees. Knowing that, thanks to these two facets of the Affordable Care Act, my health insurance was completely taken care of, without much effort needed on my end to be certified for these benefits, is a big reason I felt I could start my self-employment immediately after my college graduation and it is a benefit I continue using today.

Secondly, while there is overall a scarce amount of direct government and outside non-profit support available for self-employed business owners, the past few years

provided myself and many small business owners two sets of new opportunities which showed why directly supporting self-employed and other small business owners is effective. Like many of my peers in the live events industry, the sudden shutdown of live presentations due to the need to ensure as much public health safety as possible during the beginning of the COVID-19 pandemic made us worry about the survival of our businesses. In response, Kentucky Governor Andy Beshear proposed and was able to take executive action to make Kentucky (to my knowledge) the first state to extend Pandemic Unemployment benefits to self-employed businesses. I immediately applied and was approved for this and, once the idea caught on and was adopted nationally within the Pandemic Unemployment Act, the state approval carried over into the national benefits. This is a big deal because normally, self-employed individuals are ineligible to receive unemployment benefits in many states. Both sets of unemployment funding were also supplemented by a grant I was awarded from the Small Business Administration's EIDL Emergency Grant program.

Because my state and national governments and the SBA extended direct financial benefits to self-employed individuals, I was able to weather the first, very uncertain months of the COVID-19 pandemic without having to worry about forging a new path during a vulnerable time in our country's history. Additionally, I was able to utilize this direct funding to create a path forward in which I remained self-employed. I was able to purchase the technology needed to convert my magic/speaking presentations to the virtual presentation format (allowing my business to resume operations even before the full return of in-person events), join a business coaching program that's given me the knowledge and support to scale my business to new heights it hadn't seen before being awarded these funds, and I've been able to hire web editors, videographers, photographers, and graphic designers to create content which brought my promotional materials (website, promo video, headshots, etc.) up to date to reflect my business as accurately to potential customers as possible.

And lastly, I was able to gain a large section of my client base and learn more about the services being provided as a whole for people with disabilities seeking employment due to a new sector of vocational rehabilitation services which was created via the Rehabilitation Act of 1973's 2014 amendment called the Workforce Innovations Opportunity Act (WIOA). This is known professionally as Pre-Employment Transition Services (Pre-ETS) [1]. A large portion of my client base consists of Pre-ETS programs which didn't exist prior to this amendment that focus solely on taking high school aged students with disabilities, learning what their life goals are, and developing a plan to

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[1] National Technical Assistance Center on Transition. "Pre-Employment Transition Services - NTACT:C." *National Technical Assistance Center on Transition*, https://transitionta.org/topics/pre-ets/. Accessed 13 January 2024.

help them transition into adulthood. I wish I could take this committee with me to one of my engagements for Pre-ETS programs! Everyone would be impressed by the variety of life goals these young adults have and how capable they are of succeeding.

I think this is because, with the exception of one key area, Pre-ETS has been effective! The instructional training is top notch, with the assistance being based in a "decision tree" system which allows young adults with disabilities to make their own decisions about the career path they want to take while allowing program instructors to have specific methods for assisting them with most potential career paths. Pre-ETS programs are encouraged and guided on how to connect with their local communities and potential employees for job shadowing and job placement programs that give program participants an idea of what particular jobs are like, the workload and social skills expectations of most workplaces, and often result in direct connections of individuals with disabilities to the jobs in their community they most desire and that most naturally fit their skill sets. I also like that the program is holistic, also including funding for recreational outings like sports games, movies, and yes, my magic shows. But having utilized earlier versions of these services through Kentucky's Vocational Rehabilitation program and seeing during my engagements for Pre-ETS programs that this phenomenon continues, the exception I mention is that Pre-ETS and other services for people with disabilities are systematically designed to steer their service recipients away from considering self-employment.

The Department of Labor admits this specifically in their 2014 ODEP START-UP initiative report entitled *Self-Employment for People with Disabilities*[2], stating that "Agencies are generally oriented to supporting individuals in seeking wage employment and thus are better prepared to support that path." While the progress Pre-ETS programs have made in increasing wage employment for people with disabilities should be commended and needs to continue, the focus on wage employment unnecessarily prevents a sizable portion of able and willing to work people with disabilities from receiving the full extent of services needed to become successfully employed.

Many people with disabilities prefer self-employment for many legitimate reasons, including:

1. Self-employment is the most personal form of business operation. Many newly self-employed people start their businesses not to make large profits and then sell their business, but because they're passionate about their interests and

[2] Office of Disability Employment Policy. "Self-Employment for People with Disabilities." *U.S. Department of Labor*, U.S. Department of Labor, 15 December 2013, https://www.dol.gov/sites/dolgov/files/odep/pdf/2014startup.pdf. Accessed 13 January 2024.

causes and feel that they can use them to address unmet needs within their communities. This suits many people with disabilities well because it is common for us to use our deep devotion to our hobbies, interests, and creative pursuits as a way to interpret a world that isn't inherently built to be accessible for us.

2. It also allows us to address unmet accommodation needs such as assisted communication devices, sensory fidget devices, and as in the talks I share at the Pre-ETS programs, life skills training specific to the needs of young adults with disabilities. Not many outside entities would think to open ventures addressing these needs as readily as the people like me who need them the most would. Therefore, by validating self-employment as an option for work-ready people with disabilities, our country can become a more accessible place for people with disabilities.
3. As thankful as I am for the progress made by wage based employers in developing disability friendly workplaces, there are still significant barriers to many people with disabilities successfully remaining employed in a traditional wage based workplace setting. Many workplaces remain inaccessible due to building issues, unaddressed sensory triggers, and the social skills expectations found in most multiple employee work environments. Plus most wage based jobs require the ability to regularly leave your residence period. When someone gets to be their own boss, they gain the freedom to create a work environment tailored to their precise needs, featuring the accommodations they need for their particular disabilities, and targeting the exact kinds of customers most likely to be understanding of their authentic selves.
4. While wage based employment is systemically pushed on people with disabilities by their assistance programs, at the same time, subminimum wage for employees with disabilities is broadly legal in this country. According to the DOL's overview on subminimum wage provisions, "The Fair Labor Standards Act (FLSA) provides for the employment of certain individuals at wage rates below the statutory minimum…Also included are individuals whose earning or productive capacities are impaired by a physical or mental disability, including those related to age or injury, for the work to be performed."[3] When the main employment option that is pushed on people with disabilities actively prevents them from making the income needed for living expenses, it's only natural that self-employment is viewed as the better path for survival.
5. Programs like Social Security's disability benefits also provide barriers for people with disabilities to make the income needed to survive. Eligibility for Social Security disability benefits is tied to asset and monthly income limits which are absurdly low, to the point that, even in year one of my business, I've never been

[3] "Subminimum Wage." *U.S. Department of Labor*, U.S. Department of Labor, https://www.dol.gov/agencies/whd/special-employment. Accessed 15 January 2024.

eligible. And across my entire lifetime, my family has only ever received Social Security benefits on my behalf once, within the initial month after I was diagnosed around 1995. There's very few jobs available which allow people with disabilities to remain within these limits as they are currently, so if the nature of their disability and societal biases about disability prevents them being hired in workplaces paying above subminimum wages, self-employment presents a chance to make a gainful income that allows them to provide for their living needs without forcing them into undergoing undue disability related physical and emotional pain in order to earn a paycheck.

The main reason for my testimony today is because I feel that programs like the SBA, Pre-ETS, and all local, state, and national government programs which provide employment services for people with disabilities should, within the scope of their efforts, include self-employment as an employment option which is as equally valid as wage based employment. I provide the following suggestions as a good place to start:

1. Find places to plug self-employment/small business resources into the current Pre-ETS service structures. Another reason I feel Pre-ETS programs have had effective outcomes is that they operate under structured systems built during the onset of the program. These structures operate similarly to what the broader business world calls a "decision tree", mapping out which Pre-ETS service recipients go in which directions and using all the mapped out scenarios to determine which resources and outside partnerships these programs set up. The aforementioned ODEP START-UP Initiative report includes both examples of the current decision trees which leave out self-employment and a suggested decision tree which shows how easily self-employment resources can be included within Pre-ETS and other disability job placement programs. Within these suggested branches for the Pre-ETS decision tree are perfect opportunities to bring in SBA counselors, business strategy coaches, local self-employed business owners, bank loan officers, etc. By incorporating the option of self-employment within the scope of Pre-ETS and other disability services, we can increase awareness of the resources already available to assist individuals with disabilities desiring self-employment with creating a realistic, yet doable plan of action.
2. Expand upon Pre-ETS's core philosophy of incorporating an individual's personal choice of career into all programs designed to assist people with disabilities. As appreciated as outside expert perspectives are on issues relating to disabilities, it should be common sense that the number one expert on a person with disabilities' needs is that very person themselves. Pre-ETS may be one of the first disability programs nationally to operate under this philosophy and it is effective because it assumes the competence, rather than the ignorance, of the

person being helped, allowing them to provide their supporters with valuable information that makes job placement, both wage earning and entrepreneurial, a much easier process. It also has positive mental health impacts on people with disabilities because they're given personal agency to make important life choices rather than those choices being made for them simply because "this is what's available".

3. Extend the range of services for self-employed people as a whole to include more direct funding opportunities. With or without a disability, self-employed people have access to less resources for starting their business than even companies with a small number of employees. Most grants or loans are aimed at ventures which will result in jobs created and many straight up forbid self-employed applicants from applying. I feel this is a oversight because most self-employed individuals, when awarded the few funding opportunities they can get, tend to use these funds for specific purposes which result in their businesses staying afloat and impacting not just their local communities, but the many fellow businesses they purchase their business equipment, strategy training, and raw product/service materials from..

I couldn't imagine taking any other career path than the one that brought me here today. By committing to being self-employed in spite of the systems built against encouraging people with disabilities to consider self-employment, I've been able to not just survive, but thrive and meaningfully contribute to our country's arts and disability advocacy sectors. I want my peers to have the same freedom of choice because, even though "being your own boss" is indeed hard, there are resources already in place which can help people with disabilities succeed shall they choose to be self-employed - we've just got to give disability service providers the ability and resources to present self-employment as a valid option to their service recipients and utilize direct government services based support to aid individuals desiring self-employment in these efforts. I'm thankful to live in a country whose policies have directly enabled me to live my dream of being a professional magician and autism advocate and where I can advocate in this House subcommittee meeting to show our representatives that these policies worked for me, should continue, and should be expanded upon so our citizens can benefit from many more disability owned businesses. By doing so, we can increase the employment rate for people with disabilities as a whole.

Thank you again for the honor of testifying. It means a lot to me to serve our country in this manner.

AAPD
American Association of People with Disabilities

Pathways to Success: Supporting Entrepreneurs and Employees with Disabilities

Testimony submitted by the American Association of People with Disabilities

Thank you for the opportunity to comment on the issue of disability employment and entrepreneurship. The American Association of People with Disabilities (AAPD) is a national disability-led and cross-disability rights organization. AAPD advocates for full civil rights for over 60 million Americans with disabilities. We do this by promoting equal opportunity, economic power, independent living, and political participation.

Although one in four American adults are people with disabilities, only around 7 million disabled adults are employed,[1] and the labor force participation rate of people with disabilities ages 16 and above is 21.3% (vs. 67.1% for nondisabled adults).[2] This gap is due to the systemic ableism and discrimination that people with disabilities face in the employment sector - from the hiring process to wages and salaries to having reasonable accommodations in the workplace. Disabled people also face persistent barriers and discrimination in education, healthcare, transportation, and housing - all of which contribute to their ability to participate in gainful employment and become successful entrepreneurs consistently. Improving the employment rate among people with disabilities, therefore, requires comprehensive policy solutions that not only incentivize increased employment opportunities for disabled people but ensure that they have the education, housing, community integration, healthcare, and transportation supports necessary to participate in the workforce.

AAPD urges Congress to support disabled entrepreneurs and employees with disabilities by encouraging competitive pay and integrated employment for disabled workers, providing more resources for disability-owned businesses, increasing access to assistive technology and broadband, improving public benefits, and protecting healthcare coverage. We urge Congress to enable disabled entrepreneurs to access more funds for their start-ups by increasing asset limits, providing more inclusive pathways to access capital, and encouraging banks to be more accessible and supportive.

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[1] Bureau of Labor Statistics (2023, February 23). *Persons with a Disability: Labor Force Characteristics — 2022.* BLS.gov. Retrieved January 23, 2024, from https://www.bls.gov/news.release/pdf/disabl.pdf
[2] Ibid



Despite decades of progress on disability rights, outdated societal stigma tied to disability persists that maintains that people with disabilities are inherently less productive. These stereotypes continue to influence the opportunities disabled people have because they are enshrined in policy. Although the Americans with Disabilities Act prohibits discrimination on the basis of disability employment and the Workforce Innovation and Opportunity Act prioritizes competitive employment for people with disabilities, it is still legal in most states to pay disabled employees below the federal minimum wage. This is due to Section 14c of the Fair Labor Standards Act of 1938, which authorizes employers to pay employees with disabilities less than the federal minimum wage after receiving a certificate from the Department of Labor. Half of the people employed under 14c certificates earned less than $3.50 per hour.[3] Employers that use 14c certificates often place disabled workers in segregated sheltered workshops, where they separate them from other employees and provide less training and oversight. When initially created in 1938, Section 14c intended to prepare employees with disabilities to transition into competitive employment. However, studies have frequently shown that employment arrangements like sheltered workshops inhibit a disabled person's ability to advance in their careers or to get another job, as a Government Accountability Office audit revealed that only 5 percent of such workshop employees transitioned to outside jobs with standard pay.[4] The outdated practice of subminimum wage does not recognize the dignity and worth of disabled individuals, nor does it reflect society's changes in its view of people with disabilities and the laws passed in the decades since that protect the equal rights of people with disabilities to live, work, and thrive in their community. The US Department of Labor is currently conducting a comprehensive review of the 14c program, and we are optimistic about their planned rulemaking in the Fall of 2024. Congress also has an opportunity to address this almost century-old discrimination against employees with disabilities by passing the Transformation to Competitive Integration Act (TCIEA), H.R.1263/S.533. The TCIEA prohibits subminimum wage nationally and supports employers in transforming their businesses so that people with disabilities working under 14c certificates can remain employed and receive the competitive wages and support that they need to thrive.[5]

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[3] U.S. Government Accountability Office (2023, January 25). *Subminimum Wage Program: DOL Could Do More to Ensure Timely Oversight.* GAO. Retrieved January 23, 2024, from https://www.gao.gov/products/gao-23-105116

[4] The 19th (2021, December 13). *Many people with disabilities are paid just pennies. Build Back Better could help end that.* Retrieved January 29, 2024, from https://19thnews.org/2021/12/subminimum-wage-people-with-disabilities/

[5] Library of Congress (2023, February 27). *S.533 - Transformation to Competitive Integrated Employment Act.* Congress.gov. Retrieved January 29, 2024, from https://www.congress.gov/bill/118th-congress/senate-bill/533?s=1&r=25#:~:text=The%20bill%20directs%20Labor's%20Office,employment%20for%20people%20with%20disabilities.



Companies that are leaders in disability inclusion have shown increased revenue and economic profit.[6] Yet, due to the persisting stereotypes that people with disabilities are incapable of work, cannot be relied upon, and that any accommodations would be too difficult to make, the unemployment rate for disabled adults is twice that of nondisabled adults.[7] In order to overcome the barriers of the job market while pursuing their passions and accommodating their needs, many disabled workers turn to entrepreneurship and self-employment. According to a National Disability Institute (NDI) report, "Entrepreneurs with disabilities expressed that they started their business to have a more flexible work schedule, because they experienced a hostile work environment or lack of advancement opportunity, or they were laid off and could not find a job in their field."[8] For many, owning your own business means you can work from home if needed, have an asynchronous schedule, and hire other disabled employees, providing them with any necessary accommodations. Having the autonomy and freedom to create work environments, cultures, and protocols that work best for them makes owning their own business an incredibly appealing option for many people with disabilities.

However, entrepreneurs with disabilities also face their own set of barriers and difficulties. Like disabled employees, they face ableism and the inherent low expectations that many in the market have of disabled workers. They must work harder to be taken as seriously as others and overcome misconceptions.[9] Networking and making connections are significant parts of building a business, but that can be challenging with a disability. A lack of community integration, inclusion, social skills, and more can lead to limited social networks and impact the connections needed to start a business. Disabled entrepreneurs have to take extra considerations into account in a fast-paced world - while a non-disabled entrepreneur may be able to quickly decide to attend a local event, a disabled entrepreneur might have to coordinate paratransit in advance, research whether the venue and information are accessible, and arrange for their own accommodations such as a sign language interpreter or direct support professional.

Another challenge is the high cost of assistive technology and accommodations needed for business tasks, which is, on average, 68 to 124 percent greater for self-employed persons than

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[6] Accenture, Disability:IN, and AAPD (2023, November 27). *The Disability Inclusion Imperative*. Accenture. Retrieved January 23, 2024, from https://www.accenture.com/content/dam/accenture/final/accenture-com/document-2/Disability-Inclusion-Report-Business-Imperative.pdf

[7] Bureau of Labor Statistics (2023, February 23). *Persons with a Disability: Labor Force Characteristics — 2022*. BLS.gov. Retrieved January 23, 2024, from https://www.bls.gov/news.release/pdf/disabl.pdf

[8] National Disability Institute (2022). *Small Business Ownership by People with Disabilities: Challenges and Opportunities*. Nationaldisabilityinstitute.org. Retrieved January 23, 2024, from https://www.nationaldisabilityinstitute.org/wp-content/uploads/2022/07/ndi-small-business-research-report.pdf

[9] National Disability Institute (2022). *Small Business Ownership by People with Disabilities: Challenges and Opportunities*. Nationaldisabilityinstitute.org. Retrieved January 23, 2024, from https://www.nationaldisabilityinstitute.org/wp-content/uploads/2022/07/ndi-small-business-research-report.pdf



for individuals in other areas of employment.[10] Also, it is becoming increasingly difficult to make any sort of career or economic advancement without broadband connection, and people with disabilities are less likely to have equitable Internet access - 62% of adults with a disability say they own a desktop or laptop computer, compared with 81% of those without a disability.[11] AAPD recommends that this Subcommittee work with the Federal Communications Commission to support funding expenses in assistive technology. AAPD also strongly supports increased and sustained funding for the Affordable Connectivity Program. Twenty-three million Americans, many of them people with disabilities, already rely on the ACP to maintain their connection to the internet. Sustained funding for the ACP would allow this vital program to reach the 52 million people eligible for enrollment and enable disability-owned businesses to flourish.

One of the biggest obstacles to entrepreneurial success stems from the difficulties disabled entrepreneurs face when financing their businesses. Disabled people are more likely to come from low-income families and have limited or no financial resources. They are less likely to apply for or receive bank loans because of their hesitancy in providing personal guarantees and using assets as collateral, having a low credit score, not qualifying because of the lack of assets, or because the loan process is complicated and inaccessible.[12] This lack of access to capital blocks yet another pathway out of poverty and perpetuates family poverty cycles among people with disabilities. Additionally, the Small Business Administration does not consider disability-owned businesses as minority-owned businesses, leaving a substantial group unable to access special training and development programs, funding sources, as well as federal contracting and business development programs.[13] We urge the Small Business Administration to recognize people with disabilities as a historically marginalized minority group and how this marginalization has caused disabled entrepreneurs to lack access to wealth or business opportunities. Such a designation by the SBA would allow disabled entrepreneurs to access the special programs intended to help minority-owned businesses start, grow, and prosper.

Entrepreneurs and employees with disabilities must contend with public benefits programs' restrictive asset limits. Supplemental Security Income (SSI) is a vital program that many people

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[10] University of Illinois Urbana Champaign (2004, March 15). *High cost of assistive technologies keeping some people from work, study says.* Retrieved January 29, 2024, from https://news.illinois.edu/view/6367/207673#:~:text=In%20the%20study%2C%20%22the%20majority,groups%20was%20more%20than%20$2%2C000

[11] Pew Research Center (2021, September 10). *Americans with disabilities less likely than those without to own some digital devices.* Retrieved January 29, 2024, from https://www.pewresearch.org/short-reads/2021/09/10/americans-with-disabilities-less-likely-than-those-without-to-own-some-digital-devices/

[12] National Disability Institute (2022). *Small Business Ownership by People with Disabilities: Challenges and Opportunities.* Nationaldisabilityinstitute.org. Retrieved January 23, 2024, from https://www.nationaldisabilityinstitute.org/wp-content/uploads/2022/07/ndi-small-business-research-report.pdf

[13] U.S. Small Business Administration (2023). Accessed January 29, 2024 https://www.sba.gov/business-guide/grow-your-business/minority-owned-businesses

with disabilities rely on. However, SSI has very stringent asset and income limitations for recipients, which have not been adjusted in over four decades. Currently, SSI only allows individuals to have $2,000 in assets, or $3,000 for a couple, to be eligible for benefits. In many cases, receiving SSI benefits also entitles you to Medicaid coverage, which, for many people with disabilities is how they access healthcare and home- and community-based services. Many would-be successful disabled entrepreneurs are concerned that should they continue to work, they will lose their SSI and Medicaid benefits. However, if they do not work, they may not have enough money to cover additional expenses, such as out-of-pocket costs related to custom mobility devices or expensive medical treatments. As NDI states, "a household containing an adult with a disability that limits their ability to work requires, on average, 28% more income (or an additional $17,690 per year)."[14] In the 1980s, when the current SSI asset limits were last updated, $2,000 was more than enough to pay the security deposit and first month's rent on an apartment or purchase a reliable used car. Today, these outdated asset limits condemn people with disabilities to a life of poverty and discourage them from working, advancing in their careers, and saving money. Congress can take action to increase the asset limits for SSI by passing the SSI Savings Penalty Elimination Act (H.R. 5408/S.2767). The SSI Savings Penalty Elimination Act has bi-cameral, bi-partisan support and is widely supported by disability advocates and businesses.

In addition to the general lack of employment opportunities that people with disabilities encounter, those who do work face significant occupational segregation. According to the Bureau of Labor Statistics, people with disabilities are more likely to be employed part-time (30%) compared to those without disabilities (16%),[15] which often leaves them without access to employer-provided health coverage. The lack of employer-based health insurance causes people receiving SSI fear when considering transitioning into the workforce, whether through traditional employment or entrepreneurship. Programs like SSI and Medicaid are necessary, and increasing the asset limit for SSI may lead to more significant economic advancement and enable people with disabilities to live and work independently in their own homes and communities.

The Affordable Care Act (ACA) made historic progress in expanding coverage, ensuring everyone has access to health coverage via their employer, the health exchange marketplaces, or Medicaid, and increasing options for home- and community-based services (HCBS). As self-employed individuals, entrepreneurs cannot access employer-provided health insurance, making the ACA health insurance exchanges and Medicaid expansions vital to their well-being

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[14] National Disability Institute (2022). *Small Business Ownership by People with Disabilities: Challenges and Opportunities.* Nationaldisabilityinstitute.org. Retrieved January 23, 2024, from https://www.nationaldisabilityinstitute.org/wp-content/uploads/2022/07/ndi-small-business-research-report.pdf

[15] Bureau of Labor Statistics (2023). *Persons with a Disability-Labor Force Characteristics–2022.* Retrieved January 29, 2024 from https://www.bls.gov/news.release/pdf/disabl.pdf



and ability to work. While there have been consistent and ongoing efforts to repeal the ACA since its passage, it must be vigorously protected not only for the health of disabled people but for their economic needs as well. Repealing the ACA would mean a rollback on the anti-discrimination protections that exist for those with "pre-existing conditions," which is inclusive of people with disabilities and those with chronic health conditions.

Additionally, Vocational Rehabilitation (VR) agencies are vital resources that provide disabled workers with the training and tools necessary to enter and succeed in the workforce. They are also a means for individuals with disabilities to start small businesses. However, as of 2021, less than one percent of VR case closures resulted in entrepreneurship or self-employment, despite people with disabilities engaging in entrepreneurship at higher rates than non-disabled people. Regarding the gap in VR counseling and entrepreneurship, Frain, Bishop, and Frain write that vocational rehabilitation "counselors are in a difficult position: They usually are not trained in business development, they face federal policies that are incongruent with best practices for developing a business, and closures come more slowly and are more costly than typical. They also share the concern of family members regarding the viability of new businesses and income potential."[16] Because of this, VR counselors are not well suited to support clients in navigating starting their own businesses. We recommend that vocational rehabilitation agencies be provided more material and support for disabled individuals wanting to start their own businesses and that VR staff be trained better in assisting small business development.

Despite encountering numerous challenges, people with disabilities continue to prove themselves as skilled and successful entrepreneurs. And, if provided enough resources and support, disabled entrepreneurs and employees can grow even more. Ensuring that people with disabilities have sufficient funding and access to health care is critical. Public benefits and health insurance programs should incentivize, not discourage, work. The Department of Commerce and the Small Business Administration (SBA) should ensure access to credit and capital for disabled entrepreneurs, and efforts should be made to encourage banks to make their loan process more accessible and understandable. The SBA should also invest more in data collection for disability-owned businesses so that information is accurate and policymakers can create more targeted solutions.

Congress should pass the Supporting Disabled Entrepreneurs Act to address some of these concerns and have disability representation with the Small Business Administration.[17] While the passage of the Supporting Disabled Entrepreneurs Act will not by itself fix the systemic ableism

[16] Frain, Michael, et al. Rehabilitation Counseling Bulletin (2022). "The Time is Ripe for Entrepreneurship in Vocational Rehabilitation: A Four-Pronged Approach" Retrieved Jan 29, 2024 https://journals.sagepub.com/doi/10.1177/00343552221116051#bibr42-00343552221116051

[17] Library of Congress (2023, December 14). *S.3528 - Supporting Disabled Entrepreneurs Act.* Congress.gov. Retrieved January 24, 2024, from https://www.congress.gov/bill/118th-congress/senate-bill/3528/text



that generations of disabled individuals have faced in starting their own businesses, it represents a significant step in recognizing the abilities and contributions that entrepreneurs with disabilities bring to the economy and to their communities. The strength of the American economy is found in the rich diversity of our nation's small business owners and employees, and that includes Americans with disabilities.

Thank you again for this opportunity to provide testimony on the challenges people with disabilities encounter in the employment sector, and we look forward to working with you to create more pathways to success.

Autism Society

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Testimony Before the House Committee on Small Business Subcommittee on Innovation, Entrepreneurship, and Workforce Development

Subject: Overcoming Structural Barriers for Entrepreneurs and Workers with Disabilities

January 30, 2024

Submitted by Christopher S. Banks, President and CEO
Autism Society of America

Chairperson, Honorable Members of the Committee,

Thank you for the opportunity to address this distinguished committee on the critical issue of structural barriers faced by individuals with Autism and other disabilities in becoming entrepreneurs or entering the workforce. The focus of my testimony is on the importance of affordable healthcare access, the benefits of workplace accommodations, the enhancement of transition planning and vocational rehabilitation, discrimination in the workplace, the implications of the Labor Department's Section 14(c) program, and the contradictory situations created by public benefits requirements.

The Autism Society of America is the nation's largest and oldest grassroots organizations representing individuals with Autism and their families. For 59 years and counting, the Autism Society, including our nationwide network of 70 affiliates, connects people to the resources they need through education, advocacy, support, information and referral, and community programming, including employment support. We firmly believe in empowering Autistic individuals by championing integrated employment opportunities that focus not just on providing a job, but a fulfilling experience as part of the larger workforce. Over 2023, we hosted seven Listening Sessions that have continued to inform the need for cross-sector collaboration between educators, employers, policymakers, and community partners to create a more equitable and inclusive workforce.

1. The Importance of Affordable Healthcare Access:

Access to affordable healthcare is not just a necessity for survival; it is also an important prerequisite for individuals with disabilities to participate fully in the workforce and the business community. The Affordable Care Act (ACA) has been pivotal in ensuring that individuals with disabilities have the healthcare support they need to be productive members of society. The ACA

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prohibits discrimination based on pre-existing conditions and provides essential health benefits that cover a range of needs, including rehabilitative and habilitative services. This security enables individuals with disabilities to pursue entrepreneurship and employment without the fear of losing their healthcare coverage. The Inflation Reduction Act (IRA) extends the enhanced subsidies for health insurance premiums under the ACA through 2025. These subsidies were initially expanded under the American Rescue Plan and are crucial for individuals with disabilities who may not have access to employer-sponsored insurance and rely on the ACA marketplace for their healthcare needs. The Affordable Care Act must be protected and expanded. States that have not expanded Medicaid under the ACA are denying their citizens critical access to health care.

Medicaid offers comprehensive healthcare coverage that includes services often not covered by private insurance, such as personal care services, long-term care, and mental health services. Medicaid also funds a variety of home and community-based services (HCBS) that are important to working individuals with Autism and other disabilities. HCBS can include personal care assistance, home modifications, transportation services, and employment support, all of which enable individuals with disabilities to maintain employment and participate actively in their communities. Congress must support and not cut or block-grant Medicaid.

Many states offer Medicaid Buy-In programs for working people with disabilities. These programs allow individuals to earn income and, in some cases, have higher assets while still retaining their Medicaid coverage. This is particularly important because it addresses the "benefit cliff," where individuals might otherwise lose their Medicaid coverage if they earn more than the program's income limits. By allowing individuals to work without losing their healthcare benefits, Medicaid Buy-In programs encourage employment and financial independence. Congress should consider mandating this program for all states.

2. Discrimination and Section 14(c) of the Labor Department:

Recent data shows that approximately 85 percent of Autistic adults with a college education are unemployed, and over 90 percent of adults with Autism are under-employed or unemployed.

Ableism, or discrimination against people with disabilities, is a pervasive barrier in the workplace. It manifests in hiring practices, workplace culture, and policies like the Labor Department's Section 14(c) program. Section 14(c) of the Fair Labor Standards Act (FLSA), passed in 1938, allows public and private employers to obtain special certificates from the Department of Labor's Wage & Hour Division that allow them to compensate workers with disabilities at rates below the current federal minimum wage based on the individual's level of measured productivity. This results in a

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disproportionate number of individuals with Autism and other developmental disabilities being automatically placed into a sub-minimum wage position - usually in segregated facilities - after exiting the public school system.

Individuals with developmental disabilities and their families are often told there are no other options available to them and are often pressured by public systems and service provider agencies to enter into this option. It often has little relationship with an individual's ability. These workshops too often become terminal places of employment when they are supposed to act as transitional employment to train individuals. As few as 5% of workers transition into employment in the community. Most do a poor job providing any independent living or real-world job skills. With laws centered around community inclusion and competitive integrated employment in laws such as the ADA, Developmental Disabilities Act, and WIOA, Section 14(c) is incompatible with current law and with the expectations of people with disabilities.

We need to end the use of 14(c) and focus on providing customized employment and other evidence-based supports to all who need them. The Autism Society of America has been advocating for the bipartisan Transformation to Competitive Employment Act (TCIEA/HR 1263/S. 533), which provides grants to states to help them build capacity to provide employment opportunities that pay at least minimum wage. It phases out the use of subminimum wage certificates and provides wrap-around services for individuals who are unable to achieve full-time competitive work.

In addition, we encourage Congress to support additional tax incentives, such as the Disability Employment Incentives Act (S. 3076), to incentivize employers to hire individuals with disabilities. Another bill the House should consider is the bipartisan Supporting Disabled Entrepreneurs Act (S. 3528). This bill would establish the position of Coordinator for Disabled Small Business Concerns within the SBA, who would enhance support for small disability-owned businesses across capital, counseling, and contracting programs. The bill would also collect data on disability-run small businesses and report recommendations to Congress.

Finally, the direct workforce crisis for people with disabilities is impacting both the employment opportunities available to individuals with disabilities and the quality of the workforce dedicated to supporting them. As mentioned previously, individuals with higher support needs rely on direct support professionals to support them in jobs and to support them in the community. The Autism Society of America strongly urges Congress to support the Better Care Better Jobs Act (S. 100/HR 547). The Better Care Better Jobs Act would increase payment rates to promote the recruitment

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and retention of direct care workers, increase wages, and develop and update training opportunities.

3. The Benefits of Workplace Accommodations:

Workplace accommodations are often perceived as costly and cumbersome by employers. However, studies consistently show that the benefits far outweigh the costs. Employers benefit from reduced turnover and increased productivity, making workplace accommodation not just a legal obligation but a strategic advantage. Some examples of accommodations for people with Autism include: providing a clear structure and routine, as many individuals with Autism thrive in structured environments; creating a sensory-friendly workspace by minimizing noise, bright lights, or strong smells that can be overwhelming or distracting; offering flexible scheduling or part-time work options if full-time work is challenging; providing education and training to coworkers about Autism to promote understanding and acceptance; offering communication technology and use of other technology and tools that can aid in organization, time management, and task completion; tailoring tasks to the individual's strengths; and, allowing for specialization in a particular area of interest or skill, which can lead to high levels of productivity and job satisfaction. It's important to note that Autism is a spectrum, and each individual's needs and strengths are unique. Therefore, accommodations should be personalized and regularly reviewed to ensure they remain effective and relevant.

4. Improving Transition Planning and Vocational Rehabilitation:

Transition planning and vocational rehabilitation are critical in preparing youth with Autism and other disabilities for the workforce. However, a recent Drexel University Study showed that 99% of people with Autism are not receiving VR or any public employment supports.

However, these programs often lack a focus on business development and entrepreneurship. VR should integrate business skills and entrepreneurship training into these programs can empower individuals with Autism. Self-determination training is also crucial to many individuals with Autism. Many need to better understand how to speak up for themselves and learn independent living skills. Transition planning should start as early as possible but at least by age 14.

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5. The Catch-22 of Public Benefits and Workforce Participation:

Individuals with disabilities often find themselves in a catch-22 situation when it comes to public benefits and workforce participation. Earning too much can disqualify them from crucial benefits like healthcare, housing, and supplemental income, which are not easily replaced by employment income, especially in entry-level positions. Individuals often face a "benefit cliff," where earning more income can lead to a disproportionate loss of benefits, such as Medicaid or Supplemental Security Income (SSI). This creates a disincentive to seek higher-paying jobs or work more hours, as the loss of benefits can outweigh the financial gains from employment. The ABLE Act has helped but more can be done. Policymakers must work towards creating a benefits structure that allows for a gradual transition, ensuring that individuals with disabilities do not have to choose between healthcare and employment.

Some of these barriers are addressed by the SSI Penalty Elimination Act (HR 5408/S.2767), a bipartisan legislative proposal aimed at reforming the Supplemental Security Income (SSI) program. The primary focus of the Act is to eliminate or reduce certain penalties and restrictions that are viewed as overly punitive or as barriers to employment, financial independence and stability for SSI recipients.

Conclusion
In conclusion, dismantling the structural barriers faced by individuals with disabilities in the workforce and the business world requires a multifaceted approach. It necessitates not only legislative action and policy reform but also a cultural shift toward recognizing and valuing the diverse capabilities and contributions of individuals with Autism and other disabilities. By supporting policies that foster an inclusive environment, provide the necessary customized support, and encourage acceptance, we can ensure that individuals with Autism and other disabilities have equal opportunities to thrive as entrepreneurs and workers.

Thank you for your attention to this critical issue. Please contact Kim Musheno, Vice President of Public Policy (kmusheno@autismsociety.org) with any questions.

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Statement for the Record

U.S. House of Representatives
House Small Business Committee
Subcommittee on Innovation, Entrepreneurship and Workforce Development

"Pathways to Success: Supporting Entrepreneurs and Employees with Disabilities"
Wednesday, January 17, 2024

The Consumer Technology Association (CTA) and the CTA Foundation, believe strongly in the power of technology to enhance lives. This holds true for all people but is particularly important for often underserved populations, including older adults and people with disabilities. We applaud the Subcommittee on Innovation, Entrepreneurship, and Workforce Development for hosting the "Pathways to Success: Supporting Entrepreneurs and Employees with Disabilities" hearing.

The Consumer Technology Association, currently celebrating its 100th anniversary, has invested heavily in advancing the technologies that enable diversity in the workforce. Programs include apprenticeship programs, working with Veteran organizations, and investing in companies with diverse founders. But no investment better fits with the theme of this hearing than the creation of the CTA Foundation twelve years ago. The Foundation's mission is to link older adults and people with disabilities with technologies that enhance their lives. They do it through a variety of programs based around three core activities:

- Convening: Bringing together leaders from across industry, advocacy groups, nonprofit service organizations, government, academia, and other key stakeholders.
- Innovation: Recognizing technologies that advance the foundation's mission through award programs and serving to attract the attention of more companies to address this space. Examples include the Eureka Park Accessibility Contest and the Pitch Competition.
- Funding: Providing grant funding to nonprofit organizations using technologies to assist older adults and people with disabilities.

During CES 2024, we saw how CES is a leading showcase for accessibility, and technology improving the lives of people of all ages and abilities.

CTA and the CTA Foundation brought leaders from disability organizations, including the American Council of the Blind, Aspiritech, the Hearing Loss Association of America, MS Alliance Foundation, National Black Deaf Advocates, National Association of the Deaf, TDI, Teach Access, the Wireless RERC and World Institute on Disability, to tour the show floor, meet with exhibitors and provide feedback representing their communities with the companies they met. Those leaders are just the tip of the iceberg of representatives at the show. There was also the Accessibility Roundtable, held at the start of the show. This year, the program brought more than 85 representatives together from across industry and disability organizations to discuss a range of issues, including the opportunity and challenges of AI for the disability community and ways companies are addressing accommodations in hybrid work environments.

CES also featured many sessions focused on these topics, including fireside chats with leaders at companies like Intel, MITRE and Ricoh. Keynote sessions from L'Oreal, Walmart and others touched on accessibility. CES 2024 featured panel discussions on inclusive design, accessible gaming, assistive technology trends, OTC hearing aids and neurodivergent employees. The CTA Foundation also held its 6th pitch competition, this year with a focus on health tech for older adults and people with disabilities. This standing-room-only event gave eight startups from around the world the opportunity to present on stage at CES, and the grand prize winner, Augmental from California, and audience choice winner, Proxie Health from New York, represent just two of the hundreds of companies touching on accessibility across the show. All these sessions and more will be available soon on CES.tech.

Beyond CES, CTA has a long history of engagement with accessibility policy. CTA was instrumental in the development of the legislation that allowed over-the-counter hearing aids to come to market. CTA was also a leading member of the Hearing Aid Compatibility Task Force and continues to serve on the Federal Communications Commission's Disability Advisory Committee. In addition, CTA is an ANSI-accredited standards development organization and led the development of closed-captioning standards for television.

Following CES, the CTA Foundation is now working with nonprofit organizations from across the country on 2024 grant funding. We look forward to seeing organizations addressing employment, such as previous grant recipients the Arc, BridgingApps, Byte Back, Hearing Loss Association of America, the Massachusetts Association for the Blind and Visually Impaired, the United Spinal Association, and many more.

Please consider CTA a resource on topics having to do with accessibility. We appreciate the Subcommittee's focus on this, and we look forward to working with you as you proceed on this critical issue.

GALLAUDET
UNIVERSITY

Mr. Chairman and Members of the House Committee on Small Business,

Thank you for the opportunity to share this testimony with you.

I wish to impart a personal narrative highlighting a crucial societal aspect. Recently, my daughter, a Child of Deaf Adults (CODA), and I visited a coffee shop. After placing our orders, we settled at a table to await our meal. To my astonishment, she informed me of a traffic incident nearby that blocked the intersection and a significant sale at an electronics store, suggesting an alternate route to explore a needed electronic device for my office. Perplexed, I inquired how she came to know this. She revealed that she had gleaned this information during our brief wait in line. In stark contrast, all I had learned was the cost of my breakfast. This exemplifies 'incidental learning' – an experience often inaccessible to the Deaf community, who primarily rely on visual cues in a world where auditory information prevails.

Despite our advancements in accommodations, such as closed captions, transcripts, and interpreters, much still needs to be accomplished. Closed captions and transcripts, while beneficial, are presented in English. For that reason, ASL is seen as the more accessible language for many. In our pursuit of inclusivity and equal access to information, we must recognize and address these challenges, striving to create a society where every Deaf individual can fully participate and thrive.

I would also like to draw your attention to the financial aspect of providing ASL interpreters, a crucial but often costly resource for the Deaf community. The expense associated with hiring qualified interpreters can

be exorbitant, yet their presence is invaluable for ensuring effective communication. When a skilled interpreter is assigned to a meeting, the investment is undoubtedly worthwhile, enabling full participation and comprehension for Deaf individuals.

However, the high cost becomes particularly wasteful when the quality of interpretation falls short. When interpreters are inadequately qualified, communication effectiveness is compromised, and the financial resources invested yield a poor return. This scenario is not just financially damaging; it also negatively impacts the Deaf community by hindering their ability to engage meaningfully in various settings, be it professional, educational, or social.

This highlights the need for a more sustainable and efficient approach to providing interpreter services. Ensuring access to high-quality interpreters should be a priority, balanced with cost-effectiveness considerations. By addressing these concerns, we can create a more equitable and accessible environment for the Deaf community, where the investment in interpreter services leads to positive outcomes for all parties involved.

Esteemed legislators, it's important to recognize the unique challenges faced by Deaf entrepreneurs in their pursuit of self-sufficiency and economic independence. Despite a strong desire to contribute and participate actively in the economy, Deaf individuals often confront a staggering unemployment and underemployment rate of 55% in the United States. To navigate these challenges, many rely on public benefits like Social Security Disability Insurance (SSDI) to manage their living expenses while they endeavor to build their businesses.

However, the structure of SSDI presents a significant hurdle. The program's policy of counting nine months of successful income above $1,300 per month, after which benefits are terminated, can be discouraging. For Deaf entrepreneurs, reaching this income threshold within nine months is particularly challenging due to barriers like inaccessible incidental learning and inconsistent quality of accommodations. This situation creates a

catch-22: while striving for self-reliance and financial independence, the support system intended to assist them can inadvertently hinder their long-term success and stability.

Therefore, it is crucial to consider the unique circumstances of Deaf entrepreneurs in our policy frameworks, ensuring that support systems like SSDI facilitate rather than impede their journey toward economic self-sufficiency. By addressing these issues, we can empower Deaf individuals to achieve their entrepreneurial goals without facing disproportionate setbacks.

We propose several solutions: One being centered on the "Train the Trainer" approach to address these challenges. This method involves providing training and resources directly in American Sign Language (ASL), our native language. Doing so can significantly shorten the learning curve for Deaf individuals, facilitating quicker and more effective skill acquisition. Additionally, this approach offers the dual benefit of increasing employment opportunities within the Deaf community and potentially reducing the costs associated with interpreters.

The establishment of a Nationwide Deaf Small Business Development Center designed to cater specifically to the needs of Deaf entrepreneurs and those aspiring to enter the business realm would become a vital hub for resources and training, tailored to empower the Deaf community in business and entrepreneurship similar to what we'd refer as the Hispanic Small Business Administration.

Train the Trainer workshops and training sessions are at the heart of this initiative, conducted in American Sign Language (ASL). This approach not only ensures direct accessibility of information but also encourages members of the Deaf community to become trainers, creating employment opportunities. Additionally, educational videos and materials in ASL would provide essential business knowledge, available on-demand for flexible learning.

A significant advantage of this initiative is the cost savings on interpreting services. By delivering resources and training directly in ASL, the reliance on interpreters in educational settings is significantly reduced, leading to substantial cost savings.

This center would also enhance employment and self-employment opportunities within the Deaf community. It would equip individuals with the necessary business skills and knowledge to boost economic independence and self-reliance.

Furthermore, the center would offer a wide range of services tailored to Deaf entrepreneurs. From business planning and financial management to marketing strategies, these services would address the unique challenges Deaf individuals face in the business world.

An expanded mentorship program is another key feature. Building on existing programs where experienced Deaf entrepreneurs mentor newcomers, this initiative would increase accessibility, providing valuable one-on-one mentorship to a wider audience.

By creating such a center, we aim to establish a supportive ecosystem for both current and future generations of Deaf entrepreneurs. This initiative represents a significant stride towards achieving economic empowerment and inclusivity for the Deaf community in the entrepreneurial landscape.

Secondly, we propose a solution to extend the 9 month work trial period in which to extend the period. Deaf individuals can receive public benefits like SSDI while re-entering the workforce or establishing their own businesses. Extending this period from the current nine months to 36 months would offer a more realistic timeframe for Deaf entrepreneurs to develop a sustainable income without the immediate risk of losing essential benefits. This extended support period could significantly reduce the number of Deaf individuals needing to return to SSDI.

Such measures would not only aid in the economic empowerment of the Deaf community but also serve as a powerful inspiration. They would demonstrate to our peers, families, and especially younger generations, including Deaf children, that self-sufficiency and success are attainable goals. This can foster a positive cycle of empowerment and achievement within the Deaf community, proving that overcoming barriers to success is not just possible but probable with the right support and resources.

Honorable legislators, we at Gallaudet University are beyond grateful for the opportunity to share our testimony and insights with you. As a leading institution dedicated to educating and empowering the Deaf and hard of hearing, we are committed to advocating for our community and actively collaborating with legislative bodies to foster a more inclusive and supportive society.

We eagerly embrace the prospect of working alongside you to develop and implement solutions that provide essential support and resources for the Deaf community. We aim to create a network of resources and opportunities that facilitate access, education, and employment for Deaf individuals, ensuring they have the tools and support needed to thrive in various aspects of life.

By joining forces, we can build a framework that addresses the current challenges and lays a foundation for long-term success and empowerment. Gallaudet University is dedicated to being an active partner in this endeavor, leveraging our expertise and experience to contribute to meaningful and impactful legislative solutions. Together, we can make significant strides toward a more equitable and accessible world for the Deaf and hard-of-hearing community.

Thank you for your time in reading this testimony. Let's turn our attention to our colleague, Julie Tibbitt, who shares her perspective from the Office for Career Success.

My colleagues, Russell and Lorenzo, provide powerful and authentic perspectives as Deaf experts on small businesses and entrepreneurship in general. In all the time that I have known them, they have served as a powerful beacon for the Deaf community in terms of ongoing business mentoring, support and education. I write this supplementary testimony coming from somebody who currently oversees career services for students and alumni at Gallaudet University; I am also blessed to have grown up in a household where both my parents were full-time business owners and entrepreneurs. I am also currently married to a full-time business owner. I understand and appreciate all the value that small businesses bring to our country. I grew up in a household with strong work ethics and I view this as among the best ways to return gratitude and service back to the country where we are blessed to live in. I also have the experience of being in K-12 school administration, where we oversaw transition planning for deaf and disabled youths up to age 21. Much of my viewpoints are in line with my colleagues, and here are some additional insights that I would like to share with you:

I also wish to add that what we experience are also experienced by members of the diverse community of people with disabilities. This includes developmental disabilities as well as autism, blindness, among others.

> **Complex federal rules and regulations:** Access to benefits requires navigating through multiple complex systems, and the more federal agencies can invest in simplifying the process for all involved, all the better. This impacts even professionals in employment services who do not know or understand all the possible resources available to help their clients.
>
> **Transition planning:** Deaf individuals often have their futures mapped out without being a central part of the decision-making process. This robs autonomy. *Nothing about us without us.* The transition planning process also needs to start much earlier, in the elementary (formative) years. Quite often, if a vocational

agency is unable to provide direct support (sometimes due to the deaf individual not having a clearly formed plan or not meeting the extensive criteria needed to qualify for such services), the deaf individual is left to fend on their own. Whether they succeed often depends greatly on their own family's level of support which is not always reliable.

Transportation: Rural areas make it more difficult for deaf individuals to gain employment, and added resources would be very helpful in this area. Deaf individuals who do not go to college or trade school, are also unable to network meaningfully with their local community

Postsecondary outcomes: Deaf individuals seeking support from vocational rehabilitation services are often forced to choose certain career options (such as specific colleges or degrees or even vocations) in order to obtain support. This robs autonomy. Small businesses are seldom, if ever, presented as viable options for these individuals. In the hundreds of Individualized Educational Programs (IEPs) that I have participated in, none of them provided small businesses as a viable pathway.

Access to Health Care: Deaf individuals along with people with disabilities experience barriers in employment, as their access to health care is also vital. Every single disabled individual I have interacted with has shared traumatic experiences of having their healthcare gone awry due to accessibility issues that were often largely on part of uninformed personnel.

Financial Strain of Interpreter Services: While ASL interpreters are vital, the high costs associated with their services can be a hindrance. Striking a balance between quality and cost-effectiveness is crucial for effective communication. The federal government can make a substantial difference in this through innovative programs that are done elsewhere (such as

the United Kingdom). Consolidating resources on the federal level can produce saved costs in the long run.

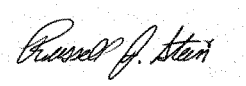
Deaf Entrepreneurs' Economic Challenges: Deaf entrepreneurs encounter a high unemployment rate, and existing support systems like Social Security Disability Insurance (SSDI) may inadvertently hinder their success due to numerous and bureaucratic policy constraints.

Thank you for this opportunity to present this testimony. Please let me know if I can be of service to this committee in your work ahead.

[Submitted by the following representatives from Gallaudet University:

- Russell Stein, Director, Gallaudet Innovation and Entrepreneurship Institute
- Lorenzo Lewis, Coordinator, Gallaudet Innovation and Entrepreneurship
- Julie Tibbitt, Director, Office for Career Success]

Respectfully yours,


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January 30, 2024

Marc Molinaro, Chairperson
Subcommittee on Innovation, Entrepreneurship, and Workforce Development
House Committee on Small Business

Statement of National Disability Institute on Supporting Entrepreneurs and Employees with Disabilities

National Disability Institute (NDI) is the first and only disability rights organization committed to building a better financial future for people with disabilities and their families by achieving financial security and independence. We submit this statement for the record regarding the Subcommittee on Innovation, Entrepreneurship, and Workforce Development hearing on "Pathways to Success: Supporting Entrepreneurs and Employees with Disabilities."

NDI applauds the Subcommittee for its focus on improving economic outcomes and financial wellbeing for entrepreneurs and small business owners with disabilities as well as all working people with disabilities.

People with disabilities currently face substantial barriers to employment, workforce development opportunities, and higher education and vocational training programs. Lack of equal access and opportunity translates into poor economic outcomes across the lifespan as well as marginalization from the economic mainstream. People with disabilities are twice as likely to live in poverty and about twice as likely to be unemployed as people without disabilities. Within that umbrella group, people with specific types of disabilities, such as those with intellectual and developmental disabilities, face even higher rates of poverty and unemployment, even with increased educational attainment. Our work with the Asset Funders Network has also called attention to significant disparities in net wealth, housing, and income among people with disabilities when disaggregated by race, ethnicity, and gender, with Black women with disabilities facing some of the sharpest disparities. Further, people with disabilities are overrepresented in the homeless and incarcerated populations, and those who are currently or formerly homeless or who have criminal records face additional barriers to accessing employment.

However, the outlook is not entirely dire. People with disabilities have long been innovators and pioneers, if only because we have to live in a world largely not designed around our needs. When hired into competitive, integrated employment opportunities, employees with disabilities have lower rates of absenteeism and greater loyalty to their employers. Likewise, entrepreneurs and

small business owners with disabilities build business enterprises that create jobs, grow the economy, and provide a wide range of goods and services, including many that open opportunities for consumers with disabilities through accessible and inclusive design, marketing, and services delivery. These business enterprises may cater to people with disabilities in some cases, but they are just as likely, if not more likely, to provide their goods and services to the general public. Disabled-owned enterprises include, among many others, marketing and communications firms, novelty and print shops, bakeries and restaurants, disability services agencies, performance arts ensembles, automotive repair and restoration services, health clinics, bespoke tailor shops, software development companies, and political consulting firms.

Our work has shown that a greater percentage of people with disabilities choose entrepreneurship as a path to economic security. Some disabled entrepreneurs may do so because they have faced discrimination in hiring and on the job. Others may do so because self-employment allows for flexible working conditions that meet their access needs. Disabled-owned enterprises span the gamut from sole proprietorships to small businesses with hundreds of employees across multiple states. Business owners with disabilities are also more likely to understand the needs of employees and customers with disabilities.

Despite what we know to be true, people with disabilities do not yet have equal access to the resources and tools needed to guarantee success in employment or entrepreneurship. Currently, the Small Business Administration does not have an office dedicated to supporting small business owners with disabilities. Likewise, existing business development and sole proprietorship resources often lack information specific to people with disabilities, including information about programs such as assistive technology grants, tax credits for architectural modifications increasing accessibility, Medicaid buy-in programs for working people with disabilities, or benefits counseling for those receiving public benefits. Entrepreneurs and small business owners with disabilities may also have less access to capital and financial education around investment opportunity, business structure and tax implications, and access to credit without specialized and disability-conscious resources. Lack of access to startup capital and business credit can hamper a prospective business owner from the start and set up entrepreneurs with disabilities to fail instead of providing tools for success.

People with disabilities seeking competitive, integrated employment opportunities also routinely face discrimination simply when trying to enter and stay in the workforce. Hiring discrimination can be as casual as job ads requiring the ability to walk and lift 50 pounds for positions that can be done entirely sitting down or job sites not permitting a candidate to bring a service animal to an interview. Many now face heightened discrimination in all sectors through employers'

increasing use of automated hiring tools that tend to screen out candidates with disabilities or are outright inaccessible for disabled users. Once hired, employees with disabilities may still struggle to keep their jobs, may be denied reasonable accommodations requests, or may be denied opportunities for professional development, advancement, and promotions. Other employees with disabilities may choose to stay in workplaces that are inaccessible or even explicitly hostile because they depend on access to the employer sponsored health plan or risk prolonged unemployment and homelessness if they lose their primary income source. These realities are untenable.

NDI believes in a future where all people with disabilities have the same opportunities and choices as everyone else, including the ability to make meaningful decisions about where to work and live and whether to work for an employer or choose small business ownership or entrepreneurship. This means a future where people with disabilities have not only economic security, but are empowered to participate fully in the economic mainstream. Achieving these goals will require proactive legislative action to ensure that entrepreneurs and employees with disabilities have the support and resources they need to succeed, including removing discriminatory barriers to opportunity.

The Subcommittee has the opportunity to craft and advance legislation that will improve the regulatory landscape for entrepreneurs and employees with disabilities, making employment and small business ownership more attainable and sustainable for people with disabilities. We encourage the Subcommittee to consider the following barriers and opportunities for supporting entrepreneurs and employees with disabilities:

- Advancing legislation like the Supporting Disabled Entrepreneurs Act to establish a coordinator for disabled small business concerns within the Small Business Administration;
- Directing the Small Business Administration to collect data on disabled-owned enterprises, as in the Supporting Disabled Entrepreneurs Act, including coordinating with the General Services Administration to promote federal contracting opportunities for disabled-owned enterprises;
- Directing the Small Business Administration to establish programs providing assistance or referrals to entrepreneurs and small business owners with disabilities regarding taxes and public benefits;
- Directing the Small Business Administration to provide information to small business owners regarding assistive technology grant programs for employers and tax credits for architectural modifications to benefit employees with disabilities;

- Encouraging coordination between the Small Business Administration and vocational training, work readiness, and job placement programs for people with disabilities funded or coordinated by the Departments of Labor, Education, and Health and Human Services;
- Encouraging the federal government to fulfill its commitment to serving as a model employer of people with disabilities through targeted hiring, expanding hires under the Schedule A excepted hiring authority, and establishing hiring pipelines for transitioning youth with disabilities and displaced workers with disabilities;
- Encouraging the Small Business Administration to coordinate with state administrators of Medicaid buy-in programs and marketplace health plans to provide educational resources for entrepreneurs and small business owners with disabilities; and
- Funding programs to connect entrepreneurs and small business owners with disabilities to mentorship and startup capital opportunities, as well as continuing business financial education.

People with disabilities are eager to compete in the small business arena, demonstrating our talents, ambition, and potential. By supporting disabled entrepreneurs, we not only empower individuals to fulfill their dreams, but also enrich our economy with diverse talents and perspectives. NDI thanks the Subcommittee again for the opportunity to provide this statement for the record. If any members of the Subcommittee have further questions, we would be glad to assist in any way that we can.

Sincerely,

Thomas Foley, Executive Director
Lydia X. Z. Brown, Director of Public Policy
Nikki Powis, Director of Small Business Programs

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