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**KENNEDY INVESTIGATES ABUSES IN DISABILITY JOB PROGRAMS**  
**(As prepared for delivery at today's HELP Committee Hearing)**

Thank you Senator Enzi for convening this important oversight hearing.

The basic federal programs we're considering today are meant to serve the important public purpose of providing the opportunity for thousands of people with disabilities to go to work.

Disabled Americans want to work and contribute to their communities in the same way as their non-disabled friends and families. They have dreams just like everyone else. For far too long, we've been denied the talents and contributions of thousands of our fellow citizens, "just because they are disabled."

So it's a sad day when our Committee staff produces clear findings that indicate shameful and serious failures in many aspects of employment programs for the disabled, and flagrant abuses by certain contractors for personal gain.

Our goal is to improve employment opportunities for people with disabilities. But our actions in Congress haven't matched the rhetoric. We haven't demanded accountability from the Department of Education in its oversight of the program. It's unfortunate that they refused to attend this hearing today. People with disabilities deserve far better.

I'm sure Secretary Spellings will be as shocked as we are by these depressing staff findings. These two long-established federal programs may be showing their age. They were designed for another era, and newer landmark programs like the ADA and IDEA have joined the effort. But that's no excuse for the fraud and abuses that this investigation seems to have uncovered. The disabled beneficiaries of these two programs faced enormous hardship even in the best of circumstances, and the last thing they needed was to become victims of major incompetence and outright fraud, abuse, and corruption, with the Department of Education AWOL on what was happening. Even minimum responsible oversight would have smelled smoke and been alerted to the problem. So I hope these findings will finally sound the Congressional alarm.

As Senator Enzi said, people with disabilities are unemployed at the unacceptably high rate of 70%. When we passed the landmark Americans with Disabilities Act in 1990 that was not the vision we had in mind. The Act was about much more than curb cuts. It was about improving access to opportunities, especially jobs, for people with disabilities.

The ADA itself built on significant progress over the past four decades.

In the 1970's, we passed Section 504 of the Rehabilitation Act to end discrimination in the schoolhouse and promote equal opportunities for people with disabilities.

We built on this promise in 1975, by passing the Individuals with Disabilities Education Act. Last year we reauthorized this important civil rights law for the 6.5 million students with disabilities and their families. We want them to have greater opportunities after they leave the schoolhouse, but in too many cases they still do not.

The promise of IDEA and ADA and the powerful vision of lives in the community that developed out of the Supreme Court's "Olmstead" decision have failed to penetrate much of the modern workplace.

It's obvious that our national approach to employment of people with disabilities isn't working. Employment is too low and static. Poverty rates are at 30%, and median household is \$27,000 a year, and we can see few signs of improvement.

The JWOD and Randolph Sheppard programs were both created nearly 70 years ago under Franklin Roosevelt.

At that time, they responded brilliantly to the realities of an era when workplaces were inaccessible, when having a disability carried a much greater stigma, and when a quality education was out of reach for most children with disabilities.

But that was before the Rehabilitation Act. Before IDEA. Before the ADA.

The evidence Senator Enzi laid out today makes a clear case for reform. Over the past 15 years since enactment of the Americans with Disabilities Act, real progress has taken place. ADA created a revolution in the way society views disabilities, and that revolution is continuing.

If we believe in equality of opportunity, if we believe everyone has something to contribute --- then any reform should provide a broad commitment to employ people with disabilities, based on their skills, not their disabilities.

It should create entrepreneurs among the disabled, and give them the skills and resources they need to operate a successful business and employ others.

It should give people with disabilities a real choice about where they work and what they do. These are issues of basic human dignity and basic human rights.

Most of all, any program should make a genuine commitment to move more people with disabilities into job settings with non-disabled workers.

We all know that there's a bipartisan willingness to tackle these issues in Congress. The time is right for reform. I was proud to join recently with Senator Roberts on legislation that has the potential to employ 100,000 or more people with disabilities in their communities.

I look forward to hearing from our witnesses today, and to working with Senator Enzi and many others in Congress, with leaders in the disability community, and employers to move this debate forward. We can and must do better and now is the time to do it.

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