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SPEECH BY: ROBERT MORGAN, ATTORNEY GENERAL OF NORTH CAROLINA  
TO: 1974 ANNUAL AWARDS BANQUET  
WINSTON-SALEM MAYOR'S COMMITTEE ON EMPLOYMENT OF THE  
HANDICAPPED  
M. C. BENTON CONVENTION CENTER  
WINSTON-SALEM, NORTH CAROLINA  
DATE: MARCH 7, 1974

"VOCATIONAL REHABILITATION AND NATIONAL POLICY"

IT IS A PLEASURE FOR ME TO PARTICIPATE IN YOUR AWARD'S CEREMONY TONIGHT AND TO MEET WITH THE MANY FRIENDS OF THE HANDICAPPED WHO ARE HERE. I ALWAYS LOOK FORWARD TO COMING BACK TO WINSTON-SALEM, ESPECIALLY TO DISCUSS PROGRAMS FOR THE HANDICAPPED.

FOR YOU IN WINSTON-SALEM HAVE BEEN AMONG THE LEADERS IN NORTH CAROLINA AND THE NATION IN ACTION ON REMOVAL OF ARCHITECTURAL BARRIERS AND OTHER MATTERS OF CONCERN TO DISABLED PERSONS. I BELIEVE THOSE OF YOU HERE TONIGHT ARE LARGELY RESPONSIBLE FOR THIS LEADERSHIP. YOU ARE AN ACTIVE MAYOR'S COMMITTEE, COMPOSED OF VOLUNTEERS, PROFESSIONALS AND, MOST IMPORTANTLY, HANDICAPPED PERSONS THEMSELVES. THROUGH YOUR COMMON CONCERNS YOU HAVE BEEN ABLE TO BREACH THE GAPS BETWEEN INDUSTRY, BUSINESS, STATE AND FEDERAL AGENCIES, VOLUNTEER PROGRAMS AND THE HANDICAPPED THEMSELVES.

IN REVIEWING A LIST OF SOME OF YOUR MORE RECENT CHAIRMEN, I SEE MANY NAMES THAT ARE FAMILIAR TO ME -- JETER WALKER, OF COURSE, YOUR CURRENT CHAIRMAN; MR. GEORGE WESTER, FRED HAUSER, JOHN DALRYMPLE, DR. ALTON GREENLAW, DR. CHARLES CULBRETH, AND I SUPPOSE WE COULD GO EVEN FURTHER BACK, BUT THAT IS AS FAR AS I CARRIED MY LIST.

WHEN YOU LOOK AT A LIST LIKE THIS AND SEE THE KIND OF PEOPLE INVOLVED IN LEADING YOUR COMMUNITY, AND THE PEOPLE WHO HAVE SERVED AS MAYOR OF WINSTON-SALEM DURING THE PAST SEVERAL YEARS-- DR. FRANK SHIRLEY AND M. C. BENTON, JR.--IT IS MUCH EASIER TO UNDERSTAND WHY YOU HAVE TAKEN THE LEAD IN ASKING CITY AND COUNTY OFFICIALS TO ASSUME TEMPORARY DISABILITIES TO GIVE THEM A FIRSTHAND FEELING OF THE REAL PROBLEMS OF BARRIERS, PASSING A CITY ORDINANCE WHICH REQUIRES RAMPED CURBS, AND REMOVING BARRIERS IN MANY OF YOUR CITY AND COUNTY BUILDINGS.

WE NOW HAVE A STATE LAW WHICH REQUIRES NEWLY CONSTRUCTED AND RECONSTRUCTED CURBS THROUGHOUT THE STATE OF NORTH CAROLINA, TO BE RAMPED. THIS STATE LAW, HOWEVER, CAME 3 OR 4 YEARS AFTER YOUR ORDINANCE HERE.

YOU ARE TO BE COMMENDED FOR TAKING THIS KIND OF ACTION AT THE LOCAL LEVEL. IN REMOVING BARRIERS IN YOUR COUNTY AND CITY BUILDINGS, FOR EXAMPLE, IF THE STATE AND FEDERAL GOVERNMENTS HAD ASSUMED THIS RESPONSIBILITY AND HAD PAID FOR THESE RENOVATIONS FROM YOUR TAX MONIES IN RALEIGH AND WASHINGTON--

YOU WOULD PROBABLY HAVE TO MULTIPLY THE ACTUAL EXPENDITURES 10 TIMES, ADD 10 COMMITTEES TO THE LIST OF PEOPLE TO HAVE BEEN INVOLVED, AND PROBABLY SEVERAL YEARS TIME LAPSE, BEFORE YOU WOULD HAVE SEEN THE MONEY AND APPROVAL FOR REMOVAL OF BARRIERS.

SO YOU CAN SEE THAT THERE ARE REAL ADVANTAGES TO LOCAL INITIATIVE IN ASSISTING DISABLED PERSONS IN THEIR EFFORTS TO ENJOY THEIR RIGHTS AND PRIVILEGES AS CITIZENS.

TONIGHT I WANT TO TALK WITH YOU ABOUT A DISTURBING TREND IN THE EXECUTIVE BRANCH IN WASHINGTON, REFLECTING WHAT I BELIEVE TO BE A VERY NEGATIVE ATTITUDE TOWARD PROGRAMS FOR THE HANDICAPPED. I ALSO HOPE TO POINT TO SOME THINGS THAT WE CAN DO TO REVERSE THIS TREND SO THAT OFFICIALS IN WASHINGTON WILL BECOME MORE SENSITIVE TO THE NEEDS OF THE HANDICAPPED IN THE COMMUNITY.

YOU IN WINSTON-SALEM ARE PARTICULARLY AWARE OF THE IMPORTANCE OF VOCATIONAL REHABILITATION SERVICES AND RELATED PROGRAMS SERVING THE HANDICAPPED. IT IS THROUGH THE EFFORTS OF VOCATIONAL REHABILITATION, THE EMPLOYMENT SECURITY COMMISSION, COMMISSION FOR THE BLIND AND MAYOR'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED AND COMMUNITY LEADERS, INCLUDING THE HANDICAPPED THEMSELVES, THAT YOU HAVE MADE MUCH OF YOUR PROGRESS.

I ONLY WISH THAT THE CONCERN YOU HAVE IN THIS COMMUNITY WAS SHARED BY THE PRESIDENT OF THE UNITED STATES AND THE ADMINISTRATION IN WASHINGTON.

IT HAS BECOME EVIDENT THAT NATIONAL OFFICIALS EITHER ARE NOT CONCERNED, OR THEY ARE POORLY INFORMED, ABOUT THE PURPOSE OF VOCATIONAL REHABILITATION AND THE TREMENDOUS RECORD AND POTENTIAL OF THIS PROGRAM.

MANY OF YOU IN THIS ROOM REMEMBER WELL, OVER A YEAR AGO, WHEN THE PRESIDENT POCKET VETOED THE VOCATIONAL REHABILITATION ACT AS PASSED BY THE 1972 CONGRESS. I KNOW THAT YOU REMEMBER HIS SECOND VETO IN 1973 OF THE VOCATIONAL REHABILITATION ACT. THAT PARTICULAR VETO MADE THE HEADLINES THROUGHOUT THE NATION.

AND BOTH OF THESE VETOES CAME AT A TIME WHEN IT BEGAN TO APPEAR THAT CONGRESS HAD FINALLY COME TO RECOGNIZE THE IMPORTANCE OF PROVIDING THE ULTIMATE WELFARE SERVICES TO DISABLED PERSONS -- SERVICES PROVIDING OPPORTUNITIES FOR TREATMENT AND EMPLOYMENT. THE FEDERAL FUNDING AUTHORITY PROVIDED IN THE 1972 VERSION OF THE VOCATIONAL REHABILITATION ACT WOULD HAVE AUTHORIZED CONGRESS TO APPROPRIATE ENOUGH FUNDS, FOR THE FIRST TIME IN HISTORY, TO REACH THE VAST MAJORITY OF DISABLED PERSONS IN THIS COUNTRY. ADDITIONAL PROVISIONS IN THE BILL INCLUDED THE DEVELOPMENT OF SPECIAL CENTERS FOR THE SPINAL CORD INJURED AND A SPECIAL SECTION EMPHASIZING REHABILITATION SERVICES TO THE SEVERELY DISABLED, EVEN WHEN A VOCATIONAL OBJECTIVE WAS NOT IMMEDIATELY OBTAINABLE.

THIS LATTER SECTION OF THE BILL WAS CITED AS A MAJOR REASON FOR THE VETO. PRESIDENT NIXON REFERRED TO THIS VOCATIONAL REHABILITATION ACT AS "FISCALLY IRRESPONSIBLE".

NOW I WANT YOU TO THINK ABOUT THE IMPLICATIONS OF THAT STATEMENT.

HERE WE HAVE A STATE-FEDERAL PROGRAM WITH A HISTORY OF OVER 50 YEARS OF SOLID SUCCESS IN REHABILITATION OF HANDICAPPED PERSONS IN THIS COUNTRY. EACH YEAR THE STATE-FEDERAL VOCATIONAL REHABILITATION PROGRAM SHOWS FOUR AND FIVE-FOLD INCREASES IN THE EARNINGS OF THOSE REHABILITATED. THE VOCATIONAL REHABILITATION ACT OF 1973 RECOGNIZED THAT SUCCESS AND AUTHORIZED GREATER FUNDING FOR SPECIAL SERVICES TO THE SEVERELY DISABLED TO ENABLE THEM TO REACH SOME LEVEL OF PRODUCTIVE ACTIVITY.

AND, YET, WE HAVE THIS RECORD OF VETO AND IMPOUNDMENT. THE FUNDS APPROPRIATED FOR VOCATIONAL REHABILITATION BY CONGRESS IN 1973 WERE IMPOUNDED, BUT THIS IMPOUNDMENT HAS TEMPORARILY CEASED BECAUSE OF THE STRONG REACTION OF CONGRESS AND THE COURTS.

THE FAILURE TO SPEND MONEY VOTED BY CONGRESS AND SIGNED INTO LAW ESPECIALLY CONCERNS ME. IN MY POSITION AS ATTORNEY GENERAL, I HAVE BECOME EVEN MORE ACUTELY AWARE OF THE NEED TO FOLLOW THE LAWS PASSED BY OUR LEGISLATIVE BODIES. WE MAY NOT AGREE ALWAYS WITH THE LAWS PASSED, BUT I THINK ALL OF US FEEL OBLIGATED TO OBEY THEM, AT LEAST UNTIL WE HAVE AN OPPORTUNITY TO HAVE SOME OF THEM CHANGED.

FOR THOSE OF YOU WHO THINK THAT THIS MIGHT BE A PARTISAN ATTACK, LET ME REMIND YOU THAT IF BOTH THE SENATE AND HOUSE VOTED UNANIMOUSLY FOR THE VOCATIONAL REHABILITATION ACT AND OVERWHELMINGLY FOR IT ON SECOND PASSAGE, THERE HAD TO BE A LOT OF REPUBLICANS VOTING FOR IT.

WE SHOULD REMEMBER THAT IT WAS DURING PRESIDENT EISENHOWER'S TERM THAT SOME OF THE MOST SIGNIFICANT AND PROGRESSIVE LEGISLATION FOR VOCATIONAL REHABILITATION WAS PASSED BY CONGRESS AND ENDORSED AND SUPPORTED BY PRESIDENT EISENHOWER.

WHAT EVENTUALLY HAPPENED TO THE VOCATIONAL REHABILITATION ACT?

IT WAS FINALLY PASSED LAST YEAR, BASED ON A COMPROMISE WORKED OUT WITH THE ADMINISTRATION. THE ACT PROVIDED FOR GREATLY REDUCED AUTHORITY FOR APPROPRIATIONS FOR VOCATIONAL REHABILITATION, WHEN COMPARED TO THE ORIGINAL BILL. THE PRESIDENT'S NEW BUDGET, BASED IN PART ON THIS VOCATIONAL REHABILITATION ACT, PROVIDES FOR ONLY \$2 MILLION IN EXPANSION NATIONWIDE IN BASIC GRANTS TO THE STATES FOR VOCATIONAL REHABILITATION.

OUT OF THIS \$2 MILLION, NORTH CAROLINA EXPECTS TO RECEIVE APPROXIMATELY \$200,000-- HARDLY ENOUGH TO EVEN COVER A SMALL PORTION OF THE INCREASE IN COST OF LIVING. HAD IT NOT BEEN FOR THE RECOMMENDATION OF OUR STATE LEGISLATURE TO REPLACE THE ADDITIONAL FEDERAL FUNDS EXPECTED, WITH STATE FUNDS, MANY EXISTING PROGRAMS IN NORTH CAROLINA WOULD HAVE HAD TO BE CUT.

LET'S GO ON TO ONE OF THE MORE CRITICAL QUESTIONS.

WHAT IS THE ROLE OF FEDERAL GOVERNMENT--THAT IS, CONGRESS, THE PRESIDENT AND ADMINISTRATION--IN CARRYING OUT THE VOCATIONAL REHABILITATION PROGRAM AND RELATING TO THE STATES AND LOCAL GOVERNMENT?

I BELIEVE, THE FEDERAL GOVERNMENT CAN BE EFFECTIVE BY SETTING SOUND NATIONAL STANDARDS FOR REHABILITATION EFFORTS AND SERVICES WHILE, AT THE SAME TIME, ALLOWING STATES TO MAINTAIN SOME FLEXIBILITY IN DEVELOPING PROGRAMS OF THE SIZE AND TYPE NEEDED AT THE LOCAL LEVEL.

SEVERAL SPECIFIC THINGS WE CAN AND SHOULD DO AT THE NATIONAL LEVEL ARE AS FOLLOWS:

- (1) ESTABLISH IN LAW THE "RIGHT OF PHYSICALLY AND MENTALLY HANDICAPPED INDIVIDUALS TO HABILITATION AND REHABILITATION SERVICES". NORTH CAROLINA HAS SUCH A LAW WHICH, WITH SOME MINOR MODIFICATIONS, WOULD BE SUITABLE, I BELIEVE, AS A NATIONAL LAW. I BELIEVE THE FEDERAL GOVERNMENT HAS A RESPONSIBILITY TO ESTABLISH A FIRM NATIONAL STANDARD FOR HABILITATION AND REHABILITATION SERVICES AND PROVIDE FUNDS SUFFICIENT TO GUARANTEE EVERY HANDICAPPED INDIVIDUAL IN THIS COUNTRY THE SERVICES HE OR SHE NEEDS TO GROW TO THEIR FULLEST POTENTIAL. SINCE FEDERAL AND STATE LAWS MANDATE THE AVAILABILITY OF WELFARE SERVICES AND FUNDS TO ELIGIBLE RECIPIENTS, AND CERTAIN HEALTH SERVICES, IT DOES NOT MAKE SENSE

TO ME THAT WE DO NOT FOLLOW THROUGH AND MANDATE REHABILITATION SERVICES TO HELP PEOPLE WITH THE COUNSELING, TREATMENT AND TRAINING THEY NEED TO LIVE A PRODUCTIVE AND MORE MEANINGFUL LIFE.

- (2) MAKE CERTAIN THAT PROFESSIONAL ADMINISTRATIVE POSITIONS ARE HELD BY PROFESSIONAL PEOPLE, PEOPLE EXPERIENCED AND TRAINED IN REHABILITATION WITH LEADERSHIP ABILITY NEEDED FOR THE JOB.

I WAS PLEASED TO NOTE IN THE VOCATIONAL REHABILITATION ACT OF 1973, FINALLY PASSED IN SEPTEMBER OF LAST YEAR, THAT THE POSITION OF ADMINISTRATOR OF THE REHABILITATION SERVICES ADMINISTRATION WAS FIRMLY ESTABLISHED IN LAW AS A PERMANENT OFFICE, AN OFFICE NOT TO BE REORGANIZED BY THE SECRETARY OF HEW OR THE PRESIDENT. I UNDERSTAND THERE HAVE BEEN ATTEMPTS TO GET AROUND THIS, BUT IT IS MY HOPE THAT CONGRESS WILL MAINTAIN CLOSE SCRUTINY OVER THIS POSITION.

- (3) ADMINISTRATION OFFICIALS IN WASHINGTON SHOULD STIMULATE MORE VOLUNTEER-PROFESSIONAL GROUPS WORKING TOGETHER SUCH AS YOURS HERE TONIGHT. INDUSTRY, BUSINESS, AND GOVERNMENT CAN ACCOMPLISH A LOT IN WORKING TOGETHER. WORKING SEPARATELY, WE WILL WASTE MONEY AND FAIL TO MEET THE OBJECTIVES IN ASSISTING OUR PEOPLE IN SUCCESSFUL ADJUSTMENT IN THE COMMUNITY. TRAINING AND COUNSELING FOR JOB OPPORTUNITIES SHOULD REFLECT THE REAL WORLD AS IT IS. AND WE CAN ONLY DETERMINE THIS WHEN WE SIT DOWN WITH THOSE OF YOU IN BUSINESS AND INDUSTRY AND FIND OUT YOUR NEEDS.

(4) ONE OF THE MOST IMPORTANT THINGS THE ADMINISTRATION CAN DO FOR VOCATIONAL REHABILITATION IS TO CARRY OUT THE PROVISIONS OF THE LAW IN THE VOCATIONAL REHABILITATION ACT AND THE INTENT OF CONGRESS. IN OTHER WORDS, QUIT MEDDLING WITH THE PROGRAM AND TRYING TO RUN IT FROM THE OUTSIDE WITH POLITICAL APPOINTEES; LET THESE PEOPLE WHO HAVE PROVEN THEY CAN DO THEIR JOB, DO IT. CERTAINLY THE VOCATIONAL REHABILITATION ACT OF 1973 CAN BE IMPROVED UPON, WE CERTAINLY NEED INCREASED FUNDING, AN AUTHORIZATION TO THE LEVEL ORIGINALLY SUGGESTED BY CONGRESS IS IN ORDER. BUT, BASICALLY, THE ACT IS SOUND.

IN SUMMARY, I HAVE YET TO SEE HANDICAPPED PERSONS WHO LOOK FORWARD TO THE ALTERNATIVE OF CUSTODIAL CARE FOR THE REST OF THEIR LIVES. MOST HANDICAPPED PEOPLE DO HAVE A SINCERE DESIRE TO BE AN INDEPENDENT AS POSSIBLE AND WORK FOR A LIVING.

TO THOSE CITIZENS AND TO OTHER DISADVANTAGED WHO WOULD SAY THERE IS NO ALTERNATIVE TO WELFARE, I WOULD POINT TO AN EXAMPLE IN THIS ROOM.

BILL KISER, WHO MOST OF YOU KNOW, HAS BEEN STRUGGLING TO TELL PEOPLE MOST OF HIS LIFE THAT HE CAN WORK, THAT HE CAN CONTRIBUTE -- BUT IT WAS NOT UNTIL 5 YEARS AGO THAT SOME OF YOU IN THIS COMMUNITY TOOK HIM TO HEART AND BEGAN TO BELIEVE IN HIM.

DESPITE THE FACT THAT WHEN HE HAS NO ASSISTANCE IN THE MORNINGS, HE MUST SPEND 3 HOURS JUST GETTING DRESSED AND GETTING READY TO GO TO WORK; DESPITE THE FACT THAT TRANSPORTATION IS DIFFICULT, DESPITE THE FACT THAT HIS SPEECH IMPAIRMENT SEVERELY LIMITS HIS COMMUNICATION; AND DESPITE HIS LIMITED MOVEMENT AND CONFINEMENT TO A WHEELCHAIR -- BILL KISER IS STILL STRUGGLING TO BECOME INDEPENDENT.

FOR THOSE OF YOU WHO HAVE NOT READ BILL'S FOREWORD TO HIS BOOK, AN AUTOBIOGRAPHY SCHEDULED FOR RELEASE IN APRIL, LET ME READ SEVERAL PARAGRAPHS TO GIVE YOU A GLIMPSE OF THE COURAGE AND FIGHTING SPIRIT HE POSSESSES.

"I DO NOT CONSIDER MYSELF ESPECIALLY EVIL OR IMMORAL, BUT I DO WANT TO LET OTHERS KNOW THAT PEOPLE IN MY 'PITIFUL' PHYSICAL CONDITION ARE OFTEN FACED WITH THE SAME SOCIAL AND MORAL ISSUES AS ARE THE PHYSICALLY NORMAL. FOR MY PART, I HAVE MADE MORE THAN MY SHARE OF MISTAKES. TO SOME, THIS BOOK WILL SEEM IRRELIGIOUS, BUT ALTHOUGH I CANNOT SUBSCRIBE TO ALL THE TEACHINGS OF MY CHILDHOOD, I HAVE A DEEP AND ABIDING FAITH IN GOD AND A PURPOSE FOR LIFE, INCLUDING MY OWN, AS ABNORMAL AS IT ALWAYS HAS BEEN AND ALWAYS WILL BE.

WHEN MY LIFE IS OVER, WHETHER IT WILL BE JUDGED SUCCESSFUL OR NOT, MORAL OR NOT, DOES NOT MATTER AS MUCH TO ME AS THE KNOWLEDGE THAT I HAVE TRIED. AND IT IS MY HOPE AND PRAYER THAT MY STRUGGLES, AS FRUSTRATING AS THEY MAY BE, WILL GO ON AS LONG AS LIFE ITSELF."

BILL KISER CAME FROM A NURSING HOME IN SOUTH CAROLINA TO WINSTON-SALEM AT THE AGE OF 40. NOW, HE HAS A CHANCE, WITH THE CONTINUED SUPPORT OF THIS COMMUNITY AND MANY OTHERS, TO MAKE IT ON HIS OWN AND INSPIRE THOUSANDS OF OTHERS TO DO THE SAME. INCIDENTALLY, BILL HAS A RADIO COLUMN THAT HE IS READY TO MARKET -- BUT HE NEEDS A SPONSOR. THAT RADIO COLUMN, IN MY OPINION, REPRESENTS A TREMENDOUS OPPORTUNITY FOR A BUSINESS OR INDUSTRIAL ORGANIZATION INTERESTED IN BECOMING MORE INVOLVED IN COMMUNITY AFFAIRS.

YOU FIGURE THE COST OF MAINTAINING THE THOUSANDS OF PEOPLE LIKE BILL IN NURSING HOMES, AND ON PUBLIC ASSISTANCE FUNDS IN THE COMMUNITY. COMPARE IT WITH THE COST OF REHABILITATION -- AND TELL ME WHICH ALTERNATIVE WE SHOULD BE PROVIDING. I THINK YOU WILL AGREE WITH ME THAT WE SHOULD SET SOME NEW NATIONAL PRIORITIES, FOR PROGRAMS LIKE VOCATIONAL REHABILITATION, AND TO MANDATE THE AVAILABILITY OF THESE SERVICES FOR ALL HANDICAPPED PERSONS WHO NEED THEM.

I ASSURE YOU THAT I WILL WORK FOR THESE NATIONAL PRIORITIES, TO PRESERVE THE INTEGRITY OF VOCATIONAL REHABILITATION SO THAT IT WILL REMAIN A VIABLE SERVICE AND AVAILABLE TO ALL OUR HANDICAPPED WHO NEED IT, AND FOR A FEDERAL GOVERNMENT THAT RESPECTS OUR LAWS AND PEOPLE AS INDIVIDUALS.

THANK YOU.