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Speech by:

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Winston-Salem Mayor's Committee on Employment of the Handicapped
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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, Mr. 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 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 President Nixon's administration--a trend that is 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 many of those 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 the President and his Administration appointees are not concerned, or either 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 vetos came at a time when it began to appear that the Federal Congress had truly 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 provision, that of Vocational Rehabilitation services to the more severely disabled, was to provide even greater incentives to serve this population, to help them realize their potentials.

Yet the President chose to use this section of the Bill as a major reason for his veto. He 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. In fact, the entire Vocational Rehabilitation Act itself had special emphases for the severely disabled scattered throughout.

Let me pose a question to those of you in industry and business here tonight. ⁷ Let's assume that you are President of a corporation called the "Federal Corporation"--and that you review all of your departments and divisions and find that one of them, Vocational Rehabilitation has consistently returned to your treasury five to ten times the amount of money you invested in it.

As you look at the program more closely, you see that it is not perfect, but far ahead of those departments and divisions that vie for second place.

In looking for a greater return for corporation dollars expended, what would your position be this next fiscal year on this program?

Would you stifle it? Would you let it continue at its present rate of funding, saying "well, it's doing fine, let's leave it alone"?

Or would you provide for a substantial increase in funding so that your corporation could experience even a greater return for its dollar in the coming year?

And, perhaps more importantly, what would your reaction be if these dollars were giving new hope and meaning to thousands of lives around the country-- hope and meaning that far exceeded the dollar value return for your investment?

There is hardly any need to answer the question. As a wise businessman and as a person obviously concerned about the plight of other people, you would react to this astonishing record by directing a greater amount of your resources and funds into this program.

Now, let's analyze what the real President of "Federal Corporation" did in light of this achievement.

The President pocket vetoed the Vocational Rehabilitation Act in 1972, an Act that passed the House and Senate without a single dissenting vote.

He vetoed the Vocational Rehabilitation Act outright in 1973, an Act passed by the House and Senate by an overwhelming margin-- 318 to 57 in the House, and 86 to 2 in the Senate.

He impounded funds appropriated for Vocational Rehabilitation by Congress in 1973.

The President's appointee to the position of Administrator of Social and Rehabilitation Services, Mr. James S. Dwight, Jr., and ^{he} his Assistant Secretary, ^{NEW} Mr. William Morrill, developed plans for dismantling the State-Federal Vocational Rehabilitation program. Mr. Dwight ^{"mistake"} ~~then lied to~~ the Congressional Committee in Oversight Hearings about his office's intent toward this program. He said and I quote "I am very acutely aware of the sustained interest in the program which this Committee has had and I wish to state very clearly my strong belief in the goals and objectives of the Rehabilitation program. As you pointed out, this program is one of the oldest Federal programs and I believe one of the most successful of the Federal human resource programs. The program has

consistently enjoyed support from the public and from the President for its valuable contributions. In my role as Administrator, I will work very closely with the Commissioner of Rehabilitation and continue this long pattern of service to our vulnerable handicapped citizens." In closing his statements in the Oversight Hearings, Mr. Dwight stated the following, "I would like to reiterate my very sincere commitment to the Vocational Rehabilitation program and to the Rehabilitation Services Administration."

The Chairman of the Oversight Hearings Special Sub-Committee, Representative John Brademas, then brought forth a memorandum giving concrete evidence of the proposal of ~~Mr. Dwight and his staff~~ ^{from Mr. Marshall and other Department Assistants} to carry out the "fractionation and dissolution of the State-Federal program [Vocational Rehabilitation]".

Serious discussion is now taking place in Congress about requiring all witnesses from the Administration to testify under oath before Congressional Committees.

Lying to Congressional Committees has, apparently, become a "trademark" of certain appointees of this Administration. And 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} ~~for~~ the Vocational Rehabilitation Act and overwhelmingly for it in its second passage, there had to be some Republicans voting for it.

These intolerable actions by President Nixon and his Administration are even more lamentable when you remember that he was Vice President under President Dwight D. Eisenhower. During President Eisenhower's term, some of the most significant and progressive legislation for Vocational Rehabilitation was passed by Congress and endorsed and supported by President Eisenhower. You would think that Mr. Nixon would have learned something about Vocational Rehabilitation during his eight years as Vice President.

When funds for Vocational Rehabilitation were appropriated, Mr. Nixon impounded them. This impoundment affected thousands of disabled people in North Carolina.

Fortunately, this impoundment has temporarily ceased because of the pointed reaction of Congress and the courts.

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 provides for greatly reduced authority for appropriations for Vocational Rehabilitation, when compared to the original bill. The President's Budget for this year, 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 have been cut.

Mr. Nixon is not a true friend to the handicapped in this country. His actions toward the handicapped and Vocational Rehabilitation during the past years, in the politest sense of the word, are "deplorable".

Senator James Abourezk of South Dakota, in a speech delivered on the floor of the Senate on February 8 of this year, sounds an alarm on some of the Administration's more recent subtle efforts to smother Vocational Rehabilitation and similar programs in a tangle of bureaucratic red tape. The Senator calls it "Operation Mangle", from the same Administration and President that brought

"New Federalism", "Operation Candor" and "Phases I-IV". He points to three techniques presently in use in the Department of Health, Education and Welfare. They are as follows:

- (1) Strapping programs with unwieldy regulations which are "administratively unworkable or else contrary to the legislated intent of the programs".
- (2) "Decentralization". The rhetoric used here is that of moving decisions as close as possible to the grass roots. However, the Senator points out that the present "decentralization" is stacking HEW with consultants, management experts and political hacks--demoralizing career employees. The results have been higher agency turnover rates and new and unuseful layers of bureaucratic structure between services at the local level and the Federal Administration.
- (3) "Reorganization". The idea behind this tactic being "if you reorganize a bureaucracy once and find to your dismay that it is still managing to make progress you do not like, why, you can always reorganize it again." This tactic too is accompanied with a rhetoric about streamlining management, a goal no one disputes, but "Operation Mangle" reorganization is serving to isolate dedicated career people from the action.

The Senator substantiates his testimony regarding "Operation Mangle" with some solid facts about what has been taking place in HEW in the administration of rehabilitation services and community services which, of course, includes your day care programs and other related efforts.

This recent testimony is just another "black mark" on the record of the President and the present Administration and another "slap-in-the-face" to handicapped citizens throughout this country, the will of the people, and the intent

of Congress in recent legislation on rehabilitation.

The actions of the President and his administration to undercut Vocational Rehabilitation are even more incomprehensible when you consider the overwhelming support Vocational Rehabilitation has been receiving these past 2 years from Congress and the nation. I believe, that on no single issue in peace time in this country has there been more widespread agreement on, and support for, among the members of Congress, than the State-Federal Vocational Rehabilitation program.

Yet, the President and his administration have consistently and repeatedly thwarted the will of the people and the will of Congress in programs like Vocational Rehabilitation. *They* have an apparent lack of reverence of the laws of our land. 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.

I believe the people of this State and this country resent a President who feels he is above the laws that the rest of us try to obey.

I am encouraged to note that the Senate plans to *follow the House in carrying* out Oversight Hearings on the Vocational Rehabilitation Act. Congress is now fully aware that this Administration is not carrying out the ^{ir}intent ~~of Congress~~ in the passage of the Vocational Rehabilitation Act.

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?

Clearly, it is not that of impoundment of funds appropriated by Congress for Vocational Rehabilitation, consistent vetoing of legislation overwhelmingly approved by Congress, developing plans to take the Agency apart, piece by piece, or strangling the Agency by bureaucratic red tape and political appointees as in "Operation Mangle".

Rather, 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.

I believe we waste a lot of time today debating the issue of welfare. Some say we need more money to provide more welfare, and others say we

don't need welfare at all.

In my opinion, that is not the question. There is no reason for people going without food and shelter in this country.

The real issue is, "are we going to provide viable alternatives to welfare payments to ^{the}handicapped and other welfare recipients in this country"?

And I am not talking about the many "shotgun" approaches of the past where large amounts of funds have been appropriated overnight for many job training programs that have not proven to be effective. I am talking about programs like Vocational Rehabilitation which have a long history and track record of success in working with families and individuals in providing a full range of ^{services, including} maintenance, treatment, training and other services necessary for rehabilitation to work.

These same services should be available to our children and older people, so that they too can live up to their potential.

Some people say we cannot afford to fund these services. Let me remind them that it will always cost more in the long run for custodial care resulting from not providing these services than it will to go ahead and provide rehabilitation services and remove barriers to mobility and independent living.

- (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.

A heavy infiltration of political appointees, consultants, management experts, or what ever you call them, into an agency like HEW, will often play havoc with service delivery. People are so "over-managed" that they have little time to provide assistance to help states and local communities get services to the people. And you at the community level are the ones affected.

- (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) Federal Government can demand more comprehensive service delivery in all programs that address themselves to the disadvantaged as well as the handicapped.

Vocational Rehabilitation has proven the soundness in evaluating the family, as well as the individual, as to their social, educational, AND physical problems and assets. It will always be difficult for an indivi-

dual to think about a job when he is hungry, or when family members are ill, or when there is no one to care ~~for~~ children. Programs like Vocational Rehabilitation that focus on this comprehensive approach will always be more successful in the long run. Many of the "shotgun" programs of the past, that have arisen overnight, focusing just on the job, or focusing just on training for specific jobs have proven ineffective.

- (5) One of the most important things the President and his 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 believe our people are "fed up" with the attitude of the President and this Administration toward the handicapped. 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 as 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.

There are thousands of other Bill Kiser's in this country who ought to have the opportunity for rehabilitation. And as long as there are Bill Kiser's in this country, we cannot tolerate the Presidential and Administrative attitudes toward the handicapped prevalent today.

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.