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PREFACE

ROBERT T. STAFFORD*

These are both good times and bad times for those of us who have participated in the long struggle to guarantee equal opportunity for Americans of all ages who have handicaps.

These are good times, of course, when we consider how far we have come since 1970, and the way things were before passage of the Rehabilitation Act of 1973.¹

But, these are bad times for those who understand the magnitude of the threat posed to those gains by the continuing efforts to make drastic reductions in federal spending for programs designed to aid individuals with handicaps.

One of the major gains in the decade of the 1970s is the clear understanding that persons with handicaps have a right to equal opportunity, without reservation. Americans with handicaps have always had the same constitutional rights as those without. But, it has taken a long time to win broad acceptance of that fact.

That acceptance may not be universal, but it is widespread, and still growing. The Rehabilitation Act of 1973, as you know very well, was designed to support the right of all persons to an equal chance to succeed in life.

We all know that the passage of a piece of federal legislation does not mean miracles will happen. Even given our best efforts, millions of Americans with handicaps are left with many discourag-

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1. Pub. L. No. 93-112, 87 Stat. 355 (codified as amended at 29 U.S.C. §§ 701-794 (1976 & Supp. V 1981)).

ing problems. But, the legislation did deliver a simple message. The message is that our fellow Americans should no longer have to bear the additional burden created by the denial of equal opportunity.

The evidence has been clear for too long that most persons with handicaps have a full measure of hope and ambition, even if they have been shortchanged in some other manner. Most of us are ordinary people living ordinary lives in the general scheme of things. The person with a handicap is an extraordinary individual trying very hard to live an ordinary life.

The 1973 law also attempts to tear down the attitudinal barriers that restrain the potential achievements of persons with disabilities. A section of the law, title V,² provides a "Bill of Rights" for Americans with disabilities in an effort to overcome their problems in obtaining equal employment opportunity as well as equal access to programs and benefits dealing with health, educational and social needs. The law also has led to a greater awareness in some quarters of the need for buildings and trains and buses that are accessible for those with disabilities, but progress in those areas has been less than dramatic.

We have had more success with the goals of the Education for All Handicapped Children's Act of 1975,³ which extended the rights of youngsters to be educated in a setting that provides the least restrictive environment for learning. That law has brought more youngsters into traditional classrooms, and there is mounting evidence that it will produce enhanced educational achievement for many.

While most of my labors are confined to the arena of federal legislation, we all know that the more important activities take place in the real world of daily living.

In this nation, the last decade has produced many significant changes that have helped persons with handicaps enrich their lives. Advances in medicine and in rehabilitation engineering have contributed to longer, more productive lives and to improved physical, intellectual and psychological well-being.

These are all but beginnings, of course. But, they are exciting beginnings, with promise of continued developments that will enable more and more persons with disabilities at least to loosen the bonds of their disabilities.

2. 29 U.S.C. §§ 790-794 (1976 & Supp. V 1981).

3. Pub. L. No. 94-142, 89 Stat. 773 (codified as amended at 20 U.S.C. §§ 1400-1420 (1976 & Supp. IV 1980)).

Consider the fact that there are 21 million persons with disabilities, between the ages of 18 and 64 in this nation, and only 42 per cent of those individuals are in the work force. Those persons with disabilities who are in the work force have lower earnings at all points in their working lives when compared with their more-fortunate fellow Americans without disabilities. The picture is improving, but clearly individuals with handicaps are among the most disadvantaged of all people in our nation.

We are all painfully aware that current economic and political circumstances are dictating reductions in government investments for social programs. I fear those cutbacks will cost us more in the long run than we will save today.

Americans need only look to our own history to respond to those who argue that times are so bleak that we can no longer make investments in our future. More than 100 years ago, our nation faced its gravest crisis: the divisions spawned by the Civil War.

But, even as our nation was torn apart by that war, some men and women with vision understood the need to plan to heal the wounds and to rebuild for the future. One such person was a Vermonter—United States Representative Justin Smith Morrill. Through his insistence and vision, the Morrill Act of 1862⁴ was passed and signed into law by President Lincoln.

It was this education act that established the land grant college system, one of his nation's most successful and enduring efforts to aid the advancement of our knowledge and the cause of equality. Justin Morrill clearly understood that our commitment to individual achievement should be strengthened, rather than weakened, in the face of transient difficulties.

I urge all that share this dream to help meet the challenge of improving the quality of life for persons with disabilities. The greater the public commitment, the more likely the chance Congress will face up to its responsibility to provide the quality and quantity of assistance so vital to meet the needs of our fellow citizens with handicaps.

4. Act of July 12, 1862, ch. 130, 12 Stat. 503.