



All the Best Podcast
Episode 24: "Towards Independence"
Featuring ADA Activist/Leader Lex Frieden

Lex Frieden: December 2nd, 2016, "Before I send warmest greetings to this distinguished audience and your most deserving honoree, Pierce's grandparents would like to request a report on the lad himself. How were Pierce's table manners? Did he wear a tie? Is there anything we should know, especially with Christmas coming up? The management thanks you in advance. That said, Barbara and I are simply delighted to join the leadership and friends of the Texas Medical Center Library in honoring our dear friend, Lex Frieden. Let me let you in on a little secret. There are not too many Houstonians, let alone Americans, that we admire as much as we love and respect Lex Frieden. Why? It is because time and time again, he has overcome the adversity he has faced in life and used it to help inspire and lift the lives of others.

Of course, Lex was one of the driving forces leading to the passage of the Americans with Disabilities Act, but his passion and advocacy didn't stop there. He continues to be a leading voice, both locally and nationally, making sure Americans of all abilities are able to be full partners in our society. I could go on, but suffice it to say, we Bushes love Lex Frieden. Whoever decided he should be honored this year should be given a prize because you could not have chosen any better. Barbara also joins me in sending best wishes for a blessed holiday season to one and all. Sincerely, George Bush."

George Bush: First place, I believe that character is a part of being president.

Barbara Bush: And life really must have joy.

Sam: This is "All the Best," the official podcast of the George and Barbara Bush Foundation. I'm your host, Sam LeBlond, one of their many grandchildren. Here, we celebrate the legacy of these two incredible Americans through friends, family, and the foundation. This is "All the Best."

George Bush: I remember something my dad taught me. He said, "Write your mother, serve your country," and he said, "Tell the truth." And I've tried to do that in public life, all through it.

Barbara Bush: You are a human being first. And those human connections with children, with friends, are the most important investment you will ever make.

George Bush: We stand tonight before a new world of hope and possibilities for our children, a world we could not have contemplated a few years ago.

Sam: On behalf of our family and the George and Barbara Bush Foundation, this is "All the Best."

Lex Frieden is widely revered as a chief architect of the Americans with Disabilities Act, which my grandfather, George H. W. Bush, signed into law in 1990. The landmark bill prohibits discrimination based on disability and is celebrating its 30th anniversary this July. Lex has served as chairperson of the National Council on Disability, president of Rehabilitation International, and chairperson of the American Association of People with Disabilities. In March 2013, Lex received the Henry Viscardi Achievement Award, which honors the accomplishments of people with disabilities on a global basis. Currently, Lex is leading a national research study to evaluate the impact of the ADA and to identify group disparities related to employment, transportation, housing, and community living. Lex, welcome to "All the Best." It is my pleasure to have you on today. How's it going?

Lex: It's my honor and pleasure to be here, Sam.

Sam: Your inspiring story as one of the great civil rights warriors of our time starts with your experience heading off to college at Tulsa University. Can you share with us that experience?

Lex: Well, Tulsa University was, like, the second step. I broke my neck in a car accident when I was a freshman at Oklahoma State University in 1967, and I had only been in school, away from home at the university, for about eight weeks. And along came the Thanksgiving vacation, I guess you'd call it. We got off on that day and a few other days that week, and a lot of us were heading home to see our family, and friends, and so on, and I never made it. A group of us were out celebrating and we had a head-on collision. I broke my neck, went to the hospital in Oklahoma City where they literally saved my life. And then, I went to the rehabilitation center TIRR in Houston where they saved my life again, I would say.

When I left there, the doctor told me, "You can do anything you might have done before you had a disability, except you have to figure out how to do it on four wheels." And at that time, that did not sound intimidating, Sam. We had astronauts that were on their way to the moon, and those astronauts were told, "Don't touch anything," and I probably had more mobility with my arms and hands than the astronauts had who were going to be heroes circling and landing on the moon. So, I wasn't afraid of living in a wheelchair the rest of my life and had a genuinely positive attitude.

Applied to go back to college. Not this time at Oklahoma State because I knew there were barriers there, all the buildings had steps. But near my home in Tulsa was a brand-new university that was built on level ground, all the buildings were accessible, it was a beautiful piece of architecture. It was called Oral Roberts University. And I applied to go there, sent all my credentials, and a few weeks later received a letter from the university stating that my application had been denied. And, Sam, I was frankly surprised by that. I was valedictorian in my high school class, I was in the top five percentile in the SAT, I had a presidential scholarship, I could be anywhere I wanted to be and my tuition would be paid.

And so, I called the admissions office and spoke to the dean of admissions, who told me there was no mistake. And I said, "I don't understand. I sent all my credentials." Then, I thought about it, that Oral Roberts had recently become a Methodist, and I had been a Methodist all my life. And I said to the dean, I said, "Did you get the letter of recommendation from my Methodist minister?" He said, "Yes, Lex, you also did well in Sunday school." I was beside myself. I said, "Why can't I come to school there?" And the dean said, "I've read your file, and you indicated you use a wheelchair for mobility, and our policy at the university is not to accept students with disabilities."

Sam: Oh, wow.

Lex: Well, not to be told no, it occurred to me that maybe they were concerned about people with disabilities imposing on other students. And so, I said to the dean, I said, "Dean, I have a lot of friends who are going to school there, and if I need any help, if somebody needs to push me or lift me up a step, I'm sure they'd be happy to do that." He said, "No, that's not the problem, Lex." He said, "We don't accept students with disabilities at our university."

I mean, you talk about depression. That was a setback. Going into this, surviving the spinal cord injury, the broken neck, going through rehabilitation for three months and leaving with the thought that I could challenge the world, and then to be told on the basis of a characteristic that I had no control over... It

might've been different if I could have rationalized it by saying, "Well, I'm not good enough at math, or biology, or something." That would have been easy to live with, comparatively speaking. But I was told I couldn't come because of something that I lived with, and that took me a long time, I was really depressed at that point.

But a few weeks later, my father encouraged me to go and meet the dean of admissions at the University of Tulsa. And it was amusing because I couldn't even get up the curb to meet the dean. They had the meet in the parking lot. He said, "We'd like you to come. You're the kind of student we want. You have great credentials and a great future." And I said, "I just can't figure out how I can do that, given the barriers that are evident here." And another dean had joined him, and dean Ferneau said, "Our students are great students. They'll meet you every day and carry you up the steps and carry you down." So, I said, "I don't want to impose on other students, you know, they have work to do. And maybe once that would be okay, but I'd be putting them at risk day after day after day, and myself as well."

And the dean said, "Look across the campus there. There's some construction. That is the first building we have built in the last 12 years." And he said, "When that building is done, it'll have a level entrance and an elevator." And I thought as he did, "Well, that's the answer." So, I said to him, "Well, dean, what are you gonna teach in that building?" He said, "Biology." And I said, "I'm not a biologist. That's not gonna work." And he said, "Oh, but wait. Take the catalog, figure out what courses you wanna take, figure out who you are, and we'll put those classes in that building." Sam, if anything influenced the ADA, that little miracle conversation on the parking lot at the University of Tulsa probably did.

Sam: Were any schools doing anything like that at that time?

Lex: At that time, the University of Illinois was accessible. It was probably the first school. There were a few other schools. Boston University had a dormitory and a campus building that was accessible, but that was about it. And I wasn't into moving to Massachusetts or Illinois. So, it was a blessing to find the University of Tulsa.

Sam: So, after leaving Tulsa, you quickly started making your mark and contributing in big ways to the independent living movement for people with disabilities in the 1970s. Can you talk about the early part of your journey and what you learned from it?

Lex: My experience at UT was good because I met a number of other people with disabilities and we talked about the barriers we faced not only on campus

but in the community. We organized a group called Independence Now. And we went down to the city, and spoke to the mayor, and said, "You know, our parents pay taxes, and one day we'll pay taxes, and we don't understand why we're building sidewalks that we can't even get on." And so, the city made ramps. And this was early on, this was early '70s. The city made ramps. They bought our advocacy, and they made a number of other commitments with the parks and other public services that became available because of our advocacy. And I realized at that point how empowered we were and the power of group advocacy.

So, I had the good fortune to meet Fred Fay in Boston, Massachusetts, Judy Heumann was in California, a woman named Eunice Fiorito was a blind individual who happened to be the head of the mayor's office on disability in New York, and a few others of us met in Boston. And we decided we would form a national organization, which turned out to be the American Coalition of Citizens with Disabilities.

And so, we formed chapters in all the states, figured out politics were important and we started to take part in campaign activities and precinct meetings. We got onboard with Jimmy Carter early on. And in the presidential election of 1980, we went to the Mondale campaign and the Reagan campaign, and we were not particularly welcomed by the Republicans, but at that point, the Democrats would've welcomed anybody, and Mr. Mondale made a number of promises about what he would do if he became president. But the important thing is we were learning these steps.

I know your show's not about politics, but you might be, from a personal standpoint, interested to know that at one point I went to the regional political meeting of the Democrats in Houston, and I wanted to state my case for going to a national convention. I thought it was important for people with disabilities to be seen on the highest-level stage. And the chairman of the region said, "We don't need to hear from you, Lex, because we've already picked our slate." And I said, "No, I'd just like the opportunity to speak to the delegates." And he said, "Not gonna do it." He said, "We're on the stage here and there's no ramp. Sorry."

And I protested down in front of the stage. And a group of other delegates, young people, mostly, some of them were people of color, some of them were gays, and they joined me, and we all started to chant. Turned out that I got on the panel to go to the national convention, and I never got there because two weeks before I was scheduled to go to San Francisco, the state party chairman called me and said, "Lex, we're sorry. You're gonna have to be an alternate because a former governor decided he wanted to go to the convention and he's

gonna take your slot." So, that was the lesson there. Anyway, this whole empowerment scene, the idea that we should demonstrate ourselves through leadership and encourage others to become engaged in the public process.

You know, in the 1970s, people in the community weren't accustomed to seeing folks in restaurants or theaters. To get in a restaurant, most restaurants, you had to go up steps and be carried up. To get in theaters, the fire marshal wouldn't let you sit in the aisle and there were no spaces, so we couldn't go there. But those were the kinds of things we did. And in Houston, The Galleria...and you're familiar with it, been shopping there with your mom a lot of times, I'll bet. The Galleria was brand new, and they had a theater there, and the theater was down six steps. And we wondered why you could build a new facility with the knowledge we have at this point in the 1970s and not make it fully accessible. It would have been so easy.

So, on one Saturday afternoon, we had about 200 blind people, people in wheelchairs, deaf people picketing that theater. We literally closed them down the whole afternoon and evening. Those were the sorts of things we did. My colleagues would chain themselves literally to the fender of a bus so the bus couldn't drive. At one point, the mayor of Houston, Hofheinz, said, "I'd like everybody to use the buses. I wanna make a free bus ride day-to-day." And we found at what time he was gonna ride the bus. We met him down there, about 40 people in wheelchairs. The bus comes up, the mayor is there, all the TV cameras are there, all the networks, all the channels. And the bus driver couldn't imagine what to do with all these wheelchair users wanted on his bus. So, he got down the steps and started to help lift people up. And the mayor, he disappeared real quick.

Sam: So, Lex, as you mentioned, the main theme of our podcast is not politics, but service. In the 1980s, you continued your public service as the executive director of the National Council on Disability. While there, you helped write the groundbreaking report towards independence. What was in that report and can you tell what effect it had?

Lex: Just to tie the discussion together, my reputation, because I would testify at public meetings and also in Washington, was pretty well-established. And when Congress decided based on some recommendations that we had made to create this independent agency, the National Council on Disability, then the National Council on the Handicapped. Lowell Weicker, who was the senator that was really largely behind this, said, "Look, this is a do-nothing group, and if you don't have a report done within two years of your establishment, we're gonna write this committee off." The chief of staff for President Reagan called me and said, "Lex, would you come and kinda pull this group together? We'd

like you to be the executive director." And I agreed. Later on, they discovered I had worked for Mr. Mondale, and we had to kinda work through a little process there before the president was satisfied that I wasn't gonna upset anything there.

But that wasn't my job, my job was to write this report. And we did, and the council did a magnificent job. We had hearings all over the country. And we were to present the report to the president in January 1986, but on the day we were to report it, the Spaceship Challenger blew up and Mr. Reagan's calendar was canceled, as you might imagine. And the appointment secretary said, "It's gonna be a long time before we can get you on the agenda again, but the Vice President's calendar is free if you'd like to talk to George Bush."

You know, that was another turning point in the ADA. Had we met the president, he would've said [00:17:00] some nice things, there'd have been a few photo ops, and that would have been that as far as the report was concerned. Probably would have been buried. I don't think the administration had a lot of interest in working on disability rights at that moment, there were other things they were committed to. But we met your grandfather, and Boyden Gray, his chief assistant there, said, "You guys are only gonna be a few minutes because the Vice President, he's very busy." And Boyden said to me, "Be sure, Lex, to tell him you're from Texas because he's partial."

So, we went in and expected to have our photos taken, and Vice President Bush said, "Look, guys, I read your report, and I want you to sit down, I wanna talk about it." And he said, "Barbara and I read it last night." And, you know, and I always wondered what a Vice President and his wife do at night, and that's evidently good reading material because they had a favorable impression of our report.

And the Vice President said, "Lex, you've done a lot of work on this, and my family can relate to your recommendation." He said, "One of our boys has difficulty reading, and we know how the schools behave sometimes." He said, "We lost a child who had a disability, and we were certainly concerned about how she might come up." At the end of our meeting, he said, "I'll do anything I can to help you meet your objective, but you have to remember that I'm just the Vice President." We went on from there, and he really did promote it. The senators who at that point were already behind it were delighted that the Vice President was in favor of what we were doing. So, it began to work its way through the Congress at that point.

Sam: Well, that's a great segue because I wanna talk about the '88 presidential campaign next because I think at that time, you approach both major candidates for president and asked them to commit to action on what would eventually

become the Americans with Disabilities Act. At that time, was there widespread bipartisan support or was there consensus still slow in developing?

Lex: The advocacy for the ADA was just jelling at that point. So, the leadership was sophisticated enough to get involved in the campaigns. As I told you, we'd been practicing. Both of the campaigns paid lip service to our proposal and they both made a written commitment to support it if they became president. But your grandfather's assistant there working on the campaign, Lee Atwater, saw the magic in this civil rights proposal that would reach out to a whole new minority group. And Atwater helped to program a lot of positive statements about the ADA.

And on the night before the election, President Bush was on television, had a 30-minute special where he spoke to the American people. And at that time, if I'm not mistaken, he may have been a few points behind in the polls. It was neck and neck at that point in time. And about two-thirds of the way through, I think it was 19 minutes after 6:00 p.m. when Vice President Bush said, "If I'm elected president, I'm going to work toward the rights and opportunities for people with disabilities." I don't believe he specifically mentioned the ADA, but all of us understood that's what he was talking about.

Later on, I believe Lou Harris did a poll that showed the election may have been influenced by his commitment to the ADA. Lee Atwater actually acknowledged that at one point. So, that's when it jelled. The first speech George Bush gave after he was president before a joint session of Congress, he said very clearly, "I intend to pass the Americans with Disabilities Act. I'm gonna bring equal opportunity to people with disabilities." And that set the stage for congressional action on the Americans with Disabilities Act.

Sam: And that's a great transition because I'd like to take you back to July 26th, 1990 on the South Lawn of the White House. At the time, my mother was working with the National Council on Disability, and she said it was one of the most emotional days she can recall. What were you feeling and thinking on that historic day?

Lex: Sam, there were 3,000 people. I mean, you've been on the South Lawn of the White House. Imagine 3,000 people there, shoulder to shoulder, front to back. It was, at that point, according to the architect of the White House, the largest signing ceremony that had ever been had. Your granddad said, "I want everybody to be there. I want the people to be there."

And so, there were 3,000 people there, and your mom was right down there in the front with other members of the family of the president and with the leaders

and Congress. She never tried to pretend to be out front, but she was always there. And anytime we needed somebody to arrange a meeting with maybe a captain of industry who had questions about the ADA or a social leader of one sort or another, we could call on her, and she would do us the great favor of introducing us and organizing a meeting. And without people who had that level of knowledge, that level of social grace, we would probably not have had the ADA either.

Sam: Well, I'm sure it was all her pleasure in doing so. Well, Lex, the ADA was really the world's first comprehensive law giving disabled members of society equal rights and access to public amenities. How many other countries have since adopted similar legislation?

Lex: Too often I think we talk about the physical access and the accessibility that the ADA brings, but we have to remember ADA has an employment section that forbids discrimination on the basis of disability. That has had an impact equal to that of the physical access. We see more evidently the improvements that have been made. Every bus system before July 26, 1990, there were only two transit systems in the United States that I could use, and two years after, I could use almost any of them. Now, that's a powerful statement right there.

But at the same time, people with disabilities who would be told at a job employment interview that, "We don't hire people with disabilities," those people couldn't be told that, they had to be considered on an equal standpoint with other people who would apply for the job and they had to have their qualifications judged. It's a wide-sweeping piece of legislation. Sam, you asked what impact the ADA had had on people in other countries. The United Nations in 1986 got interested in the ADA. And they actually talked about it in the UN General Assembly.

Ten years later, in 1996, the secretary-general appointed a committee of representatives of different nations, including the U.S., and I was the chairman of the U.S. delegation at that time. And we met with delegations from around the world about how we could borrow from the ADA and apply the principles of the ADA to international law. And interestingly enough, at that time, among the leadership and advocates for this UN action was the delegation from China.

And the Chinese were particularly fond of President Bush. He sent a delegation — again, I was a part of that — to China to meet the president of China in 1990. Shortly after, the ADA was signed, and the president of China was very interested in what we were doing to promote opportunity for people with disabilities. So, the Chinese were leaders, the Mexican delegation were leaders,

and some of the Middle East delegation were leaders in this effort to have a worldwide convention on the rights of people with disabilities.

About 10 years later, when your uncle George W. Bush was president, the United Nations actually did pass the UN charter for disability, and at this point, I think more than 150 countries around the world are part of the charter. Oddly enough, the United States never agreed to sign that particular charter despite advocacy by your granddad, and uncle, and Bob Dole, many other leaders who understood the importance. The U.S. has yet to confirm that. Maybe that's something we can work on together. This is the 30th anniversary year of the ADA, and many people with disabilities are still frustrated because there are things that come up that weren't included in the ADA or that have been ignored by the commercial community or by the public authorities, and we need to work on those things.

Sam: What still needs to be done?

Lex: At this point in time, people with disabilities, people like myself, could go to some hospitals in some state with the COVID virus, needing heavy-duty equipment, high technology, ventilators specifically, and be told, "You're on the bottom of the list. Our list includes young, able people, and those are the people who will get the technology before anyone else." And that probably should be addressed under the ADA and considered, but it's hard to talk about those things when you're in the midst of a pandemic, but I just hate to see that happen, and I hate to see people who may have a long life ahead of them expire because they don't have access to the needed ventilators and other people have them. Healthcare is one issue.

Internet issues. I won't specify which one, but we're using a lot of different online services. These chat rooms, and video conferences, and so on, only one or two of those are accessible to people who are blind or deaf, the other ones go on right along. So, what do I do if my company adopts the use of a certain platform that's not accessible? I'm no longer able to participate in my work. And that needs to be covered by the ADA, and hopefully one day it will be.

Sam: Well, Lex, thank you so much for sharing and joining us on "All the Best." It was really a pleasure to talk to you and hear your amazing story and all the amazing things that you've accomplished. So, thanks again for joining me.

Lex: Sam, thanks for having me. I look forward to our next meeting, and say hi to your mom for me.

Sam: I'm Sam LeBlond, reminding you to listen, share, and subscribe to "All the Best" on Apple Podcasts, Spotify, and everywhere great podcasts are found. Thank you for joining me as we celebrate "All the Best."

Barbara Bush: Both George and I believe that while the White House is important, the country's future is in your house, every house, all over America.

George Bush: Preparedness, strength, decency, and honor, courage, sacrifice, the willingness to fight, even die for one's country. America, the land of the free and the brave. And God bless the United States of America, the greatest country on the face of the earth.

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