

House Resolution 1828

By: Representatives Day of the 163rd, Morris of the 155th, Parrish of the 156th, Jones of the 46th, Burmeister of the 119th, and others

A RESOLUTION

- 1 Commending Dr. James L. Cherry, a distinguished Georgian, for his pioneering efforts in the disability rights movement; and for other purposes.
- 3 WHEREAS, Georgia native Dr. James L. Cherry is a leading figure in the struggle for equal rights for the disabled, devoting his life to forging a more free and just world; and
- 5 WHEREAS, Dr. Cherry initiated the legislative effort leading to the passage of Section 504 of the Rehabilitation Act of 1973, a groundbreaking federal law modeled after Title VI of the 1964 Civil Rights Act and considered to be the first civil rights act for persons with disabilities; and
- 9 WHEREAS, later, in his 1976 landmark case of *Cherry v. Matthews*, 419 F. Supp. 922 (D.D.C. 1976), the United States federal court ruled that the federal government was obligated to develop and promulgate a comprehensive regulation under Section 504 to prevent discrimination against persons with disabilities nationwide, a decision that marked the first time disabled individuals were recognized as a protected class by the United States government; and
- 15 WHEREAS, this groundbreaking decision has affected tens of thousands of federally assisted programs in thousands of cities and communities across America, with Section 504 requirements applying to universities, schools, hospitals, state and local government buildings and programs, transportation systems, police and fire stations, day care centers, parks, legal services, public housing, and numerous other federally assisted programs; and
- 20 WHEREAS, *Cherry v. Matthews* served as the foundation for the federal Americans with Disabilities Act, which was largely a restatement of the federal regulations under Section 504 with expanded scope to encompass other areas of society; and

1 WHEREAS, for over 35 years, Dr. Cherry has fought steadfastly for numerous other
2 innovative legislative and legal efforts to clear hurdles for the disabled, such as the voting
3 accessibility law, handicapped parking laws, building accessibility standards, and the
4 Assistive Technology Warranty Act; and

5 WHEREAS, Dr. Cherry's tireless commitment to justice and equality has changed the lives
6 of countless Americans with disabilities, helping to guarantee disabled citizens the rights and
7 freedoms they never before had, and it is abundantly fitting and proper for this body to pay
8 tribute to the many contributions of this heroic Georgian.

9 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
10 the members of this body commend Dr. James L. Cherry on his four decades of dedicated
11 and successful volunteer advocacy for the disabled community and thank him for his
12 outstanding contributions to Georgia.

13 BE IT FURTHER RESOLVED that the members of this body endorse the spirit of Section
14 504 and the federal Americans with Disabilities Act and support continued efforts to make
15 our society more fair and accessible for disabled Americans.

16 BE IT FURTHER RESOLVED that the Clerk of the House is authorized and directed to
17 transmit an appropriate copy of this resolution to Dr. James L. Cherry.