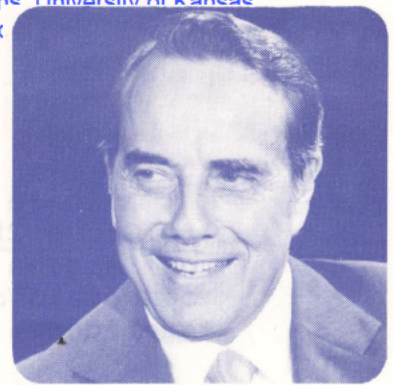


News from Senator

BOB DOLE



(R- Kansas)

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FOR IMMEDIATE RELEASE
THURSDAY, APRIL 12, 1984

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DOLE JOINS BIPARTISAN GROUP IN INTRODUCING BILL
TO NEGATE GROVE CITY;
CASE HAS "PUNCHED A GAPING HOLE" IN CIVIL RIGHTS LAWS

WASHINGTON -- Kansas Senator Bob Dole joined a bipartisan group of over 50 Senators in cosponsoring legislation introduced today to overturn the effects of the recent Grove City case. Dole, a member of the Senate Judiciary Committee, released the following statement:

I am pleased to join this large, bipartisan group in introducing legislation to negate the severe restrictions placed on the scope of Title IX by the Supreme Court in the recent Grove City case, and to ensure that a similar fate does not befall key civil rights laws prohibiting race, handicap, and age discrimination.

It should be emphasized that the sole purpose of this legislation is to restore Title IX to the broad coverage which marked its enforcement prior to Grove City, and to keep the other three laws intact. There is nothing ground breaking about this bill.

There has been considerable debate over what the term "discrimination" means and whether busing and quotas should be permissible means of remedying it. I believe, however, that whatever "discrimination" means, there is a strong consensus in the country and in Congress that the scope of prohibitions against it should be broad. Grove City punched a gaping hole in federal civil rights protections, and it is my hope that the Congress will act swiftly to close it.

I was one of the first to express my disagreement with the Department of Justice when it decided to argue for a "program specific" approach in Grove City, and I was one of the first to express my disappointment when the Supreme Court handed down its decision. But I also believe ultimate responsibility for what has happened falls directly on the shoulders of Congress for its failure, once again, to make clear its intent of statutory language. As Justice Department officials have emphasized, they did not base their arguments on what they believe to be good policy, but rather on what they believed the statute said on its face. It is now incumbent upon the Congress to do what it should have done 20 years ago when it passed the "prototype" for these laws, Title VI. The protections afforded by these laws are too precious to millions of minorities, women, and disabled and aged persons for Congress to delay any longer in removing the ambiguity and making explicit its intent.

(MORE)

There are any number of potential adverse ramifications if Grove City is allowed to stand. As a principal supporter of Section 504 when it was enacted in 1973, I am particularly concerned about the impact on the rights of disabled Americans.

For instance, Section 504 has required educational institutions to make their programs accessible to the mobility impaired. At some schools, this requirement could become virtually meaningless. For instance, under Grove City, if a school only receives federal student loan moneys, then only its student financial aid office is covered. But what difference will it make to a person in a wheelchair if the student aid office is accessible, if none of a school's academic programs are?

I am also greatly troubled about the employment discrimination area. Instead of applying to a whole institution or agency, Section 504's prohibition against employment discrimination will apply only to those specific programs operated by a recipient which directly receive federal aid. The issue is all the more important to the disabled because more comprehensive federal laws banning employment discrimination encompass race and sex discrimination, but not discrimination on the basis of handicap.