

News from Senator

BOB DOLE



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DOLE ASSAILS JUSTICE DEPARTMENT ON SCOPE OF KEY ANTI-SEX BIAS LAW

WASHINGTON -- Sen. Robert Dole (R.-Kan.) strongly criticized the Justice Department today for urging the Supreme Court to limit the scope of a federal law which prohibits sex discrimination in educational institutions receiving federal aid. Dole is chairman of the Senate Judiciary Subcommittee on the Courts.

Dole was responding to a brief which the Justice Department filed late yesterday in a case involving Grove City College. The principal issue in the case is whether the federal law in question, Title IX of the Education Amendments of 1972, prohibits sex discrimination in all educational activities operated by a recipient of federal funds, or only in those specific programs receiving federal aid. The Justice Department has urged the latter interpretation, arguing that since the only federal money received by Grove City is student financial aid, the law prohibits sex discrimination only in the College's student financial aid program.

Noting that the Justice Department's position was inconsistent with the position taken by all previous administration, Dole stated that the Department's brief reflected a "legalistic, technical interpretation of the language of the statute, which ignores the clear intent of Congress when we passed the law in 1972. Congress didn't want a piecemeal approach, whereby an educational institution could reap the benefits of federal aid for one program, but be free to discriminate in all the rest of its programs. We intended the mandate to be broad. If a school failed to provide equal educational opportunities to women in any of its programs, we didn't want it subsidized with federal money."

Dole also noted that if the Justice Department's position were adopted, not only could it be a substantial setback for women's rights, but it could also set a precedent for restricting the scope of similar federal statutes prohibiting race and handicap discrimination by recipients of federal funds.

Dole contrasted the actions of the Justice Department with those of the White House and other Federal Departments and agencies, noting that just within the past few weeks the Administration had proposed legislation to strengthen child support enforcement laws and had come out in support of legislation sponsored by Dole and others to make the private pension system more fair toward women.

"Recent actions of the White House and other Departments have been designed to demonstrate that this Administration is sensitive to women's concerns and is aware that sex discrimination remains a major problem in this country. Thus I find it difficult to understand why the Justice Department has decided to take such a restrictive view of one of the most important anti-sex discrimination laws ever passed," Dole said.

Dole added that he was considering writing a letter to the President urging him to request that the Justice Department withdraw its brief in the Grove City case.