



UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000  
INFO MEMO




PERSONNEL AND  
READINESS

December 9, 2004, 8:30 AM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, Under Secretary of Defense (P&R)

  
(Signature and date)  
184

SUBJECT: Recruiting at Colleges

- Current federal law (the "Solomon Amendment") requires that universities treat military recruiters on a par with other employers, or lose entitlement to most federal funding, except student financial aid.
- Many law schools have sought to inconvenience military recruiters, while giving an appearance of cooperation. Two small schools crossed the line and lost federal funding.
- Some law schools and law school professors and students have joined together in lawsuits asserting that the Solomon Amendment is an unconstitutional infringement of their First Amendment rights. A three-judge panel of the U.S. Court of Appeals for the Third Circuit (NJ, PA, DE, and VI) (in a 2-1 split vote) recently agreed.
- The Department of Justice and DoD are currently evaluating the options for appeal of this decision.

COORDINATION: OGC (attached)

Prepared By: Lt Col Francine Blackmon, 693-4166



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## INFO MEMO

December 9, 2004; 10:14 AM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, Under Secretary of Defense (P&R) \_\_\_\_\_

SUBJECT: Military Recruiting at Law Schools

- Current federal law (the "Solomon Amendment") requires that universities treat military recruiters on a par with other employers, or lose entitlement to most federal funding, except student financial aid.
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*Coordination:*

*P. Chu 12/9/04*  
*DS(CP&R)*

*Authorized to coordinate by the  
DS, lead*

