

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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FORUM FOR ACADEMIC AND INSTITUTIONAL  
RIGHTS, INC., SOCIETY OF AMERICAN LAW  
TEACHERS, et al.,

Plaintiffs,

v.

DONALD H. RUMSFELD, in his capacity as U.S.  
Secretary of Defense, et al.,

Defendants.  
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**DECLARATION OF PAULA C. JOHNSON**

I, Paula C. Johnson, declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am Professor of Law at Syracuse University College of Law. I have been a law professor since 1990, and have taught at four law schools, including my present position as a tenured full professor at Syracuse University. Since 2002, I have served, along with Michael Rooke-Ley, who is professor of law emeritus at Nova Southeastern University Law Center and currently a visiting professor of law at Seattle University School of Law, as co-president of the Society of American Law Teachers (“SALT”), plaintiff in this action. As a law professor and officer in SALT, I am well aware of the challenges faced by law schools across the country, including, but not limited to the subject matter of this lawsuit. If called as a witness, I could and would testify to the following based on personal knowledge, or if indicated, on information and belief.

2. Like most of my colleagues in SALT and throughout the profession, I became an attorney and subsequently a law professor in order to contribute to American society in a meaningful way. As such, my SALT colleagues and I have endeavored to practice law and teach it in a manner that realizes the democratic promise for all citizens. Our commitment as attorneys and law professors has been to fundamental ideals of democracy, fairness, nondiscrimination, and inclusion throughout American society. This commitment includes our institutional governance responsibilities.

3. The Society of American Law Teachers is the largest voluntary membership organization of law faculty in the United States. The mailing address for SALT is c/o Prof. Paula C. Johnson, Syracuse University College of Law, Syracuse, New York 13244. SALT is a progressive organization, whose nearly 900 members are on the faculties of 159 law schools in 44 states, including New Jersey, the District of Columbia, Puerto Rico and four foreign countries. In addition, SALT members reflect the diversity of American society, in terms of gender, race, ethnicity, age, physical ability, and sexual orientation.

4. While SALT has consistently advocated for inclusion in American society on the aforementioned bases during our 30-year history, these principles also have been adopted as integral to the educational mission of American law schools. Thus, virtually every U.S. law school has adopted policies which value diversity, encourage inclusion, and prohibit discrimination by those who are employed by, are enrolled in, or seek access to their institutional facilities, personnel, and student populations.

5. In our capacity as legal educators, SALT members have a responsibility to our students, colleagues, institutions, and society at large, to ensure that law schools'

principles and policies of inclusion and nondiscrimination are upheld and constitutionally validated.

6. As the Solomon Amendment is antithetical and harmful to law schools' furtherance of their educational mission, SALT joins this litigation as plaintiff to protest the immediate and continuing injury to our students in the lesbian, gay, bisexual, and transgendered communities, who are singled out for disparate and discriminatory treatment under this legislation.

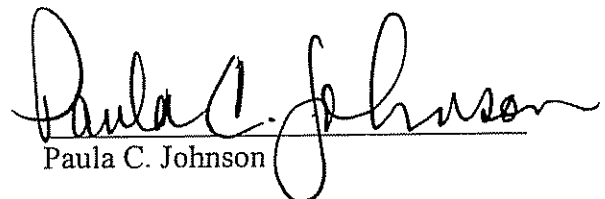
7. The claims that SALT raises in this litigation, therefore, are integral to its mission. The Solomon Amendment, which SALT challenges in this lawsuit, impairs the ability of SALT and its members to enforce, express, and live the values embodied in the nondiscrimination policies of their schools.

8. As described in the Complaint filed in this action, SALT and its members therefore have suffered and will continue to suffer irreparable harm as long as the military is allowed to enforce the Solomon Amendment. By filing this lawsuit, SALT seeks a remedy for the harm caused to it and its members by the Solomon Amendment. Were this Court to grant the relief SALT seeks in this lawsuit, the harm to SALT and its SALT members caused by the Solomon Amendment would cease.

9. SALT is not seeking monetary damages, and no individualized determinations of damages need to be made by this Court to resolve this lawsuit. Thus, the participation of SALT's members individually is not necessary to this action.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: September 18, 2003  
Syracuse, New York

  
Paula C. Johnson