

We, the undersigned members of the faculty of Columbia Law School, strongly oppose the federal law, known as the Solomon Amendment, which requires the Law School, through punitive financial coercion, to allow the United States armed services to recruit on our campus through the Law School's Career Services office. This recruitment directly violates the Law School's longstanding non-discrimination policy, which forbids employers from recruiting on our campus if they discriminate based on, inter alia, sexual orientation. Under the "don't ask, don't tell" law, which bars openly lesbian, gay and bisexual individuals from military service, military employers discriminate explicitly based on sexual orientation.

Last year, in *Rumsfeld v. FAIR*, the United States Supreme Court upheld the Solomon Amendment against a challenge based on the First Amendment rights to speech and association. The Court held that law schools could be required to permit military recruiters access to campus, notwithstanding the schools' non-discrimination policies. However, Chief Justice Roberts, speaking for a unanimous Court, also made clear that "[s]tudents and faculty are free to associate to voice their disapproval of the military's message."

Accordingly, we reaffirm our commitment to an educational environment at the Law School that is free from discrimination based on sexual orientation, as well as discrimination based on race, color, religion, national origin, sex, age, and handicap or disability. The faculty recognizes with regret the particular harm to which our lesbian, gay and bisexual students will be subject as a result of the military recruiters' presence on campus in violation of our non-discrimination policy.

José Alvarez  
Mark Barenberg  
George A. Bermann  
Vivian Berger  
Barbara Aronstein Black  
Vincent Blasi  
John Coffee  
Lori Damrosch  
Michael C. Dorf  
Michael Doyle  
Ariela Dubler  
Harold Edgar  
Elizabeth F. Emens  
Jeffrey Fagan  
Robert A. Ferguson  
Merritt B. Fox  
Katherine Franke  
Philip Genty  
Jane Ginsburg  
Suzanne Goldberg  
Harvey Goldschmid

Frank Grad  
Kent Greenawalt  
Jack Greenberg  
Jim Hoover  
Conrad A. Johnson  
Olati Johnson  
Avery W. Katz  
Benjamin Liebman  
Carol B. Liebman  
Lance Liebman  
Edward Lloyd  
Louis Lowenstein  
Gillian Metzger  
Curtis Milhaupt  
Eben Moglen  
Katharina Pistor  
Andrzej Rapaczynski  
Alex Raskolnikov  
Joseph Raz  
Peter Rosenblum  
Charles Sabel  
Carol Sanger  
Barbara A. Schatz  
Elizabeth Scott  
Robert E. Scott  
William Simon  
Michael I. Sovern  
Jane Spinak  
Peter L. Strauss  
Susan Sturm  
Kendall Thomas  
Patricia Williams  
John Witt  
Tim Wu  
Mary Zulack