

Lambda Law applauds Dean Fitts' and the Administration's decision, as per the Association of American Law Schools' (AALS) requirements, to issue a statement detailing the factors that contributed to the alteration of our school's policy regarding Judge Advocate General (JAG) participation in OCR. The legal profession, law schools, and the University of Pennsylvania itself have made tremendous strides in promoting a culture of inclusion and tolerance. It is unfortunate that the federal government and, in particular, the Department of Defense, have undertaken a course of action that has forced Penn Law, (among other private law schools across the country) to compromise our non-discrimination policy for employers invited to participate in OCR. JAG has always recruited Penn Law students, but not as part of OCR. But by tying millions of dollars of federal funding – in fact, all federal funding to the entire university – to the Law School's compliance with this policy, the government has effectively extorted the Law School out of its explicitly articulated policy of only allowing employers with non-discrimination policies that include sexual orientation to recruit in OCR.

Out LGBTQ students cannot legally serve in the military, and we are therefore ineligible for JAG positions; but make no mistake: this maneuver compromises the rights of all students attending Penn Law. In conjunction with our peer LGBTQ organizations at similarly affected law schools, Lambda and its supporters are aggressively pursuing steps that will ensure the full extent of ameliorative measures required by the AALS. Beyond the obvious inequities presented by JAG's presence at OCR, Lambda intends to address the other troubling implications posed by the Solomon Amendments and the "Don't Ask Don't Tell" regime. Lambda will enact a course of action to address this problem for the 2003-2004 recruiting season. Insofar as the Department of Defense regulations permit, we anticipate the full and enthusiastic support and participation of Penn Law's administration and faculty.

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Comment [RES1]: JAG always recruited on the Penn campus – the difference is that now they will be part of OCR.

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's support to their greatest extent possible.