

**March 15, 2006**

FOR IMMEDIATE RELEASE

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**Law School LGBT Student Groups from Across America React to *FAIR* Ruling**  
Shifting Their Focus, Members Agree that “Don’t Ask, Don’t Tell” Must Go

On March 6, 2006 the Supreme Court handed down its decision in *Rumsfeld v. FAIR*, ruling that the Solomon Amendment does not violate free speech protections when it compels law schools, in contradiction to their own nondiscrimination policies, to host a discriminatory employer.

The Court’s opinion is a disappointment. The opinion concentrates on the technicalities and logistics of on-campus recruiting in order to avoid discussing the real issue. Our law schools’ right to free speech is compromised when they are compelled to waive nondiscrimination policies meant to declare emphatically that discrimination against their students will not be tolerated. These policies are not empty words, but an expression of our law schools’ commitment to equality—not only for gay, lesbian, and bisexual students, but for students of all races, religions, genders, and nationalities.

Forced by the Court to exempt the military from their policies, our law schools are now unwillingly complicit in the military’s discrimination against LGBT servicemembers. To maintain their visible commitment to nondiscrimination against LGBT students, law schools must now respond directly to the military’s explicitly discriminatory policy. We take a collective stand against the “Don’t Ask, Don’t Tell” policy to work toward the full integration of our armed services, and we call on our institutional leaders to join us.

The heart of this issue has never been the Solomon Amendment, but rather “Don’t Ask, Don’t Tell” itself, a law that is wrong on both a moral and pragmatic level. The policy excludes qualified gay, lesbian, and bisexual men and women from serving their country at a time when the nation may need them the most. In past years, gay, lesbian and bisexual students from our law schools have desired to serve their country in the JAG Corps. If the military truly wants to recruit the best students from the nation’s law schools, it should do away with its discriminatory hiring practices rather than compel law schools to accept those practices.

Through its stop-loss program, the military has recognized that it needs every capable servicemember, and yet the military continues to discharge LGBT servicemembers eager to serve their country. Arabic translators, both in short supply and essential to our success the war in Iraq and in the war on terror, continue to be discharged for being gay, lesbian, or bisexual. Many top legal professionals, essential for safeguarding our civil rights while ensuring the military is best able to fight threats to national security, remain unable to apply.

We believe that our universities should challenge this wrong and support bills such as the Military Readiness Enhancement Act, sponsored by Rep. Marty Meehan, D-Mass., and 109 co-sponsors, which would repeal the “Don’t Ask, Don’t Tell” policy. If we can no longer maintain equality on our campuses, we must work ever more diligently to end discrimination outside of them.

What you can do to help: Contact your Senator or Representative and urge them to support measures to abolish “Don’t Ask, Don’t Tell.” For other general inquiries or ways to help, contact any of the members of the organizations listed below.

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