

109TH CONGRESS
2D SESSION

H. CON. RES. 354

IN THE SENATE OF THE UNITED STATES

MARCH 15, 2006

Received and referred to the Committee on Armed Services

CONCURRENT RESOLUTION

Expressing the continued support of Congress for requiring an institution of higher education to provide military recruiters with access to the institution's campus and students at least equal in quality and scope to that which is provided to any other employer in order to be eligible for the receipt of certain Federal funds.

Whereas on March 6, 2006, the Supreme Court ruled 8–0 in favor of the Government in the case of *Rumsfeld v. Forum for Academic and Institutional Rights, Inc.*, upholding the authority of Congress to withhold Federal funds from an institution of higher education that prevents military recruiters from gaining access to the

institution's campus and students in a manner that is at least equal in quality and scope to that which is provided to any other employer;

Whereas this important decision comes at a time when the Nation finds itself at war and reaffirms the constitutional obligation of the Government to provide for the defense of the Nation;

Whereas the decision recognizes the authority of Congress under section 8 of article I of the Constitution to raise and support armies, provide and maintain a navy, and make rules for the government and regulation of the land and naval forces;

Whereas the national security interests of the United States are best served by a high level of military personnel readiness;

Whereas the ability of the Armed Forces to recruit the best possible candidates from the widest available pool of talent is of paramount importance to national security;

Whereas institutions of higher education are an important source of recruits for the Armed Forces;

Whereas an institution of higher education that prevents military recruiters from gaining access to the institution's campus or students in a manner that is at least equal in quality and scope to that which is provided to any other employer does a disservice to those students who desire the opportunity to serve in the Armed Forces; and

Whereas section 983 of title 10, United States Code, requires institutions of higher education to provide such equal access to military recruiters in order to be eligible for the receipt of certain Federal funds: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That Congress expresses continued support
3 for requiring an institution of higher education to provide
4 military recruiters with access to the institution's campus
5 and students at least equal in quality and scope to that
6 which is provided to any other employer in order to be
7 eligible for the receipt of certain Federal funds.

Passed the House of Representatives March 14,
2006.

Attest:

KAREN L. HAAS,
Clerk.