

## ALABAMA WORKFORCE INVESTMENT SYSTEM

Office of Workforce Development  
401 Adams Avenue  
Post Office Box 5690  
Montgomery, Alabama 36103-5690

September 23, 2005

GOVERNOR'S WORKFORCE DEVELOPMENT DIRECTIVE NO. PY2005-09

**SUBJECT: Federal Funding Proscription**

1. **Purpose.** To provide notice of a Federal Government policy restricting the availability of Federal funds.
  
2. **Discussion.** The memo addressed to Elaine Chao, Secretary of Labor, attached to this GWDD indicates that, by federal law, no (federal) funds may be provided by contract or by grant to an institution of higher education (including any sub-element of such institution) if the Secretary of Defense determines that the institution has a policy or practice that either prohibits, or in effect prevents military recruiters access to campuses, access to students on campuses, or access to student recruiting information.  
  
The same memo provides indication of one school found to be in violation of the above policy, and is therefore ineligible to receive federal funds.
  
3. **Action.** The proscription against limiting U.S. military recruiters' access to campuses or to students on their campuses shall be considered as USDOL policy binding on all recipients and sub-recipients of WIA funds, to include both State-level and substate-level recipients of such WIA funds.
  
4. **Contact.** Questions regarding this information should be directed to Bill Hornsby at (334) 242-5847.

  
\_\_\_\_\_  
Steve Walkley, Division Director  
Workforce Development Division

Attachments



SEP 12 2005

MEMORANDUM FOR EDWARD C. HUGLER  
Deputy Assistant Secretary for Operations

MILTON AL STEWART  
Director  
Business Operations Center

VALERIE VEATCH  
Director  
Office of Procurement Services

FROM: PATRICK PIZZELLA   
Assistant Secretary for  
Administration and Management

SUBJECT: No Federal Funds to Institution  
Preventing Military Recruiters Access to Campus

Please find attached a memorandum of the same subject from the Charles S. Abell, Principal Deputy, Office of the Under Secretary of Defense. The memo states that by law, "no funds may be provided by contract or by grant to an institution of higher education (including any subelement of such institution) if the Secretary of Defense determines that the institution (or any subelement of that institution) has a policy or practice (regardless of when implemented) that either prohibits, or in effect prevents military recruiters access to campuses, access to students on campuses, or access to student recruiting information."

I ask that you please take note of this restriction and ensure that all necessary steps are taken to ensure that the Department of Labor awards no contracts or grants to New York Law School in contravention of this law.

Thank you.

Attachment

8/31/2005

**DEPARTMENT OF LABOR**

**Executive Secretariat**

**CORRESPONDENCE CONTROL RECORD**

**CORRESPONDENCE ID: 430628**

**DUE DATE: 9/7/2005**

**ORIGINATOR:** Abell, Charles (Principal Deputy)

**ADDRESSED TO:** Chao

**CONSTITUENT:**

**WH ID NUMBER:**

**ORGANIZATION:** Office of Under Secretary of Defense

**DATE OF LETTER:** 8/25/2005

**SUBJECT:** No Federal Funds to Institution Preventing Military Recruiters Access to Campuse

**ACTION AGENCY:** ETA

**DATE ROUTED:** 8/31/2005

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**SIGNATURE LEVEL:** SECY

**REMARKS:** fax copy

**INFO COPIES TO:** SECY/D/S/COS/*J*FRK/LK/RS/KI/ALO/OPA/SOL/ASP/OCIA/OASAM

**SPECIAL INSTRUCTION:**

RETAIN WITH ORIGINAL CORRESPONDENCE  
IF THE DUE DATE CANNOT BE MET,  
CONTACT YOUR CORRESPONDENCE UNIT



OFFICE OF THE UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

430628

AUG 25 2005

PERSONNEL AND  
READINESS

The Honorable Elaine Chao  
Secretary of Labor  
U.S. Department of Labor  
Frances Perkins Building  
200 Constitution Avenue, NW  
Washington, DC 20210

RECEIVED  
2005 AUG 31 11:11:16  
OFFICE OF THE UNDER SECRETARY OF DEFENSE

Dear Madam Secretary:

Under section 983 of title 10, United States Code, no funds may be provided by contract or by grant to an institution of higher education (including any subelement of such institution) if the Secretary of Defense determines that that institution (or any subelement of that institution) has a policy or practice (regardless of when implemented) that either prohibits, or in effect prevents military recruiters access to campuses, access to students on campuses, or access to student recruiting information. Specifically, no funds may be provided to an institution that prohibits or prevents — (1) access to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of military recruiting in a manner that is at least equal to quality and scope to the access to campuses and to students that is provided to any other employer, or (2) access by military recruiters for purposes of military recruiting to student directory information, which includes names, addresses, telephone listings, date and place of birth, levels of education, academic majors, degrees received, and the most recent educational institution enrolled in by the student. Those funds covered by section 983 of title 10, United States Code include any funds made available for the Departments of Defense, Transportation, Homeland Security, or National Nuclear Security Administration of the Department of Energy, the Central Intelligence Agency, or for any department or agency in which regular appropriations are made in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act.

The following school has been determined to have a policy or practice that either prohibits, or in effect prevents the access required for military recruiting purposes and is, therefore, ineligible to receive the above-referenced funds.

- New York Law School

Please ensure that no federal funds are provided by grant or contract to this institution. Notice of this determination is being provided to Congress, and shall be published in the Federal Register.

Sincerely,

  
Charles S. Abel  
Principal Deputy

