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BY U.S. MAIL & ELECTRONIC MAIL

The Honorable Virginia Foxx
Committee on Education and the Workforce
U.S. House of Representatives
2176 Rayburn House Office Building
Washington, D.C. 20515
virginia.foxx@mail.house.gov

Dear Chairwoman Foxx,

I am in receipt of your June 25, 2024 letter to George Mason University regarding *The Wall Street Journal's* June 8, 2024 misleading slander on Joshua Wright. I am deeply troubled by the U.S. House Committee on Education and the Workforce buying into the narrative of the progressive, left-wing supposed reporting. Your letter's disgraceful parroting of the biased article, which ignored important facts, and is the subject of ongoing litigation as well as an ongoing Title IX investigation, is appalling.

Instead of focusing on the progressive agenda, your Committee should be focusing on the Biden Administration's disastrous Title IX Final Rule, which (in addition to radically redefining Title IX's protection of "sex" to include "gender identity") will undoubtedly ruin many students' and school faculty and administrators' lives by redefining Title IX and depriving them of bedrock due process principles, which are especially important when false allegations are made. There is a long history of false accusations destroying the lives of innocent people, like Joshua Wright, including those recognized by important court rulings.¹

¹ Courts have remarked that falsely labeling someone a sexual offender leaves a "profound" impact, and have otherwise expressed severe skepticism over the fairness University Title IX process. *See, e.g., Doe v. Miami Univ.*, 882 F.3d 579, 600 (6th Cir. 2018); *Doe v. Baum*, 903 F.3d 575, 582 (6th Cir. 2018); *Doe v. Brandeis Univ.*, 177 F. Supp. 3d 561, 574 (D. Mass. 2016) ("Like Harvard, Brandeis appears to have substantially impaired, if not eliminated, [a respondent's] right to a fair and impartial process ... Whether someone is a "victim" is a conclusion to be reached at the end of a fair process, not an assumption to be made at the beginning"); *Doe v. Purdue Univ.*, 928 F.3d 652, 664 (7th Cir. 2019) (Barrett, J.) (holding that the university's Title IX hearing appeared to be a "sham or pretense"); *Doe v. Univ. of Scis.*, 961 F.3d 203, 215-216 (3d Cir. 2020) (holding that university process violated "basic fairness"); *Doe v. Oberlin Coll.*, 963 F.3d 580, 588 (6th Cir. 2020) (noting that the court held "grave" doubts about the accuracy of the university disciplinary process); *Ortegel v.*

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There is a reason Americans do not trust their Congress – wasting resources based upon an obvious hit piece cannot be a good way to earn back their trust.

Sincerely,



Jesse R. Binnall

cc: Gabriella Pistone (Gabriella.Pistone@mail.house.gov)

Virginia Polytechnic Inst. & State Univ., No. 7:22-CV-00510, 2023 WL 8014237, at *12-13 (W.D. Va. Nov. 20, 2023) (university hearing officer was plausibly an unconstitutionally biased decisionmaker).