



**ILLEGAL RACIAL DISCRIMINATION IN FACULTY HIRING AT GEORGE MASON
UNIVERSITY UNDER THE DIRECTION OF PRESIDENT GREGORY WASHINGTON**

Interim Staff Report of the
Committee on the Judiciary
of the
U.S. House of Representatives



November 6, 2025

EXECUTIVE SUMMARY

The Committee on the Judiciary is investigating discriminatory diversity, equity, and inclusion policies and practices in the United States.¹ This oversight includes an examination of the discriminatory practices of universities that receive federal funding.² Following allegations that George Mason University (GMU) engaged in racial discrimination to further its diversity, equity, and inclusion goals, the Committee has requested and received documents and information about GMU's lack of compliance with applicable civil rights law.³ The Committee also conducted a transcribed interview with GMU's President, Dr. Gregory Washington, in which Dr. Washington appeared to violate 18 U.S.C. § 1001 by making multiple material false statements to Congress.⁴ The documents and testimony obtained to date show that GMU likely violated federal civil rights law by discriminating based on race in its hiring practices to advance Dr. Washington's diversity, equity, and inclusion initiative. The available evidence suggests that Dr. Washington was ultimately responsible for the initiation and implementation of these discriminatory practices at GMU, likely in violation of Titles VI and VII of the Civil Rights Act of 1964 (Civil Rights Act).

Titles VI and VII of the Civil Rights Act generally prohibit race-based discrimination.⁵ Title VI prohibits entities that receive federal funds from discriminating based on race.⁶ Title VII prohibits employers from using race as a factor in hiring, firing, promotion, or compensation.⁷ Generally, entities engage in unlawful race-based discrimination when they establish race-based hiring quotas or try to balance the demographics of their employees to meet an arbitrary threshold.⁸ Such quotas and demographic balancing still violate the Civil Rights Act even if they are well-intentioned.⁹ GMU—an institution of higher education that receives federal taxpayer funding¹⁰—likely violated Titles VI and VII of the Civil Rights Act by using racial quotas and

¹ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary & Rep. Chip Roy, Chairman, Subcomm. on the Const. and Ltd. Gov't. to Dr. Gregory Washington, President, George Mason Univ. (July 29, 2025).

² *Id.*

³ See Press Release, U.S. Dep't of Justice, Justice Department Launches Second Investigation into George Mason University (July 21, 2025), <https://www.justice.gov/opa/pr/justice-department-launches-second-investigation-george-mason-university>; Press Release, U.S. Dep't of Justice, Justice Department Launches Investigation into Employment Practices at George Mason University (July 17, 2025), <https://www.justice.gov/opa/pr/justice-department-launches-investigation-employment-practices-george-mason-university>; Press Release, U.S. Dep't of Educ., U.S. Department of Education's Office for Civil Rights Opens Title VI Investigation into George Mason University (July 10, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-education-opens-title-vi-investigation-george-mason-university>.

⁴ See Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

⁵ See 42 U.S.C. §§ 2000d *et seq.*; 42 U.S.C. §§ 2000e *et seq.*

⁶ See 42 U.S.C. §§ 2000d *et seq.*

⁷ See 42 U.S.C. §§ 2000e *et seq.*

⁸ See *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469, 499 (1989); *Johnson v. Transp. Agency*, 480 U.S. 616, 631–32 (1987); *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 289–90 (1978); *Hammon v. Barry*, 826 F.2d 73, 76–79, 81 (D.C. Cir. 1987); *Janowiak v. South Bend*, 836 F.2d 1034, 1037 (7th Cir. 1987).

⁹ See *Ricci v. DeStefano*, 557 U.S. 557, 579–81 (2009).

¹⁰ See, e.g., Damian Cristodero, *Mason Research Shows Its Strength in NSF Report*, GEORGE MASON UNIV. (Feb. 2, 2023), <https://www.gmu.edu/news/2023-02/mason-research-shows-its-strength-nsf-report> (noting George Mason University receives federal research funding); *George Mason Awarded \$5 Million from U.S. Department of*

racial demographic balancing in faculty hiring to advance Dr. Washington’s diversity, equity, and inclusion initiative.¹¹

Dr. Washington’s diversity, equity, and inclusion initiative led to GMU adopting illegal hiring policies discriminating against South Asians, Southeast Asians, Arabs, Caucasians, and other demographics.

Shortly after becoming GMU’s President in July 2020, Dr. Washington began a project that he labeled the “Anti-Racism and Inclusive Excellence,” or ARIE, initiative.¹² The initiative involved an ARIE Task Force and led to GMU schools creating racial discrimination plans, dubbed “Inclusive Excellence Plans,”¹³ which required, in part, efforts to make “faculty and staff demographics . . . mirror student demographics.”¹⁴ At least three schools at GMU—the School of Engineering, the School of Policy and Government¹⁵, and the College of Science—adopted plans instituting racial hiring quotas to achieve Dr. Washington’s goals.¹⁶ For example, the School of Engineering pledged to “successfully hire and onboard 60% more (5) new-full time faculty from URM [Underrepresented Minority] racial/ethnic backgrounds.”¹⁷

Education to Increase School Counselors in High-Need Schools, GEORGE MASON UNIV. (June 4, 2025), <https://www.gmu.edu/news/2025-06/george-mason-awarded-5-million-us-department-education-increase-school-counselors-high> (stating U.S. Department of Education awarded GMU \$5 million); *George Mason University*, DATA USA, <https://datausa.io/profile/university/george-mason-university> (last visited Oct. 16, 2025) (noting GMU received \$157 million in federal grants and contracts as of 2023).

¹¹ On August 22, 2025, the Department of Education announced GMU violated Title VI of the Civil Rights Act by illegally using race and other immutable characteristics in university practices and policies, including hiring and promotion. *See* Press Release, U.S. Dep’t of Educ., U.S. Department of Education’s Office for Civil Rights Finds George Mason University Has Violated Title VI (Aug. 22, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-educations-office-civil-rights-finds-george-mason-university-has-violated-title-vi>. GMU’s anti-racism plans also likely violated the Fourteenth Amendment’s Equal Protection Clause. *See Bakke*, 438 U.S. at 287 (“Title VI [of the Civil Rights Act] must be held to proscribe only those racial classifications that would violate the Equal Protection Clause....”); *Janowiak v. South Bend*, 836 F.2d 1034, 1039–42 (7th Cir. 1987) (holding a city’s affirmative action plan violated both Title VII of the Civil Rights Act and the Fourteenth Amendment’s Equal Protection Clause).

¹² *See* Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence> (“At the college and school level [GMU] will establish Inclusive Excellence Plans....”).

¹³ *Id.*

¹⁴ Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 2.

¹⁵ The official name of the Schar School is the Schar School of Policy and Government although it is noted as the “Schar School of Government and Policy” within its racial discrimination plan. For consistency, this report will refer to the school’s official name. *See Colleges and Schools*, GEORGE MASON UNIV., <https://catalog.gmu.edu/colleges-schools/> (last visited Nov. 3, 2025); Schar School of Policy and Government Inclusive Excellence Plan (Apr. 1, 2021), Ex. 4.

¹⁶ *See* Volgenau School of Engineering Inclusive Excellence Plan (Apr. 1, 2021), Ex. 3; Schar School of Policy and Government Inclusive Excellence Plan (Apr. 1, 2021), Ex. 4; College of Science Inclusive Excellence Plan (Draft) (Apr. 1, 2021), Ex. 5.

¹⁷ *See* Volgenau School of Engineering Inclusive Excellence Plan, at 18 (Apr. 1, 2021), Ex. 3.

FACULTY AFFAIRS	The diverse makeup of VSE faculty aims to be a better representation of our student diversity	VSE will successfully hire and onboard 60% more (5) new full-time faculty from URM racial/ethnic backgrounds
------------------------	---	--

The School of Engineering (VSE) racial discrimination plan included a quota of five underrepresented minority hires.¹⁸

Similarly, the School of Policy and Government plan outlined its intent to hire “12 tenure-line faculty” at a specific ratio of 33 percent “underrepresented minorities” and 50 percent “minorities.”¹⁹

1. Faculty Hiring and Retention	
A. Faculty and Staff Hiring	
a. Goals (for details on successes in hiring since Fall '16, please see above section Overview, #3. Overall Goal for Inclusive Excellence)	
i. The Schar School will be embarking on an ambitious hiring spree of 12 tenure-line faculty over the coming 4 years. We have committed to hiring 4 administrative faculty over this time, and we expect to hire 1-2 term faculty each year. Our goal is to continue to hire underrepresented minorities and minorities at approximately the ratio we have achieved since Fall '16:	
1. Underrepresented Minorities: African American, Hispanic, Native American, 2 or More Races	33%
2. Minorities: African American, Hispanic, Native American, 2 or More Races, Asian	50%
3. Women	50%

The School of Policy and Government racial discrimination plan outlined racial quotas for 12 new faculty hires.²⁰

Further, the College of Science plan promised four years of “targeted DEI hires” of “tenure stream faculty,” including a “minimum of one” African American, one Latino, and one

¹⁸ See Volgenau School of Engineering Inclusive Excellence Plan, at 18 (Apr. 1, 2021), Ex. 3.

¹⁹ Schar School of Policy and Government Inclusive Excellence Plan, at 4 (Apr. 1, 2021), Ex. 4.

²⁰ *Id.*

Indigenous person.”²¹ In each of these schools, the proportion of minority faculty increased following the creation of racial discrimination plans.²²

Focusing on Fall 2020 as a recent benchmark, the three groups readily identifiable as underrepresented include **Black or African American** (1.8%) and **Hispanic or Latino** (1.8%) and **Indigenous People** (0.0%).

10



*The College of Science racial discrimination plan identified deficient faculty racial demographic groups.*²³

SMART GOAL 1: Each department request and hire, through a target/direct hire mechanism, a minimum of one tenure stream faculty in each of the deficient demographic areas highlighted above. THIS WILL REQUIRE DEDICATED EFFORT in terms of recruitment, job ad placement, commitment on the part of COS Administration (Dean, Associate Dean of Faculty Affairs, HR, CBO and newly hired full-time CDO and assistant CDO for COS and other diversity champions).

11



2. **COS will plan and budget for targeted DEI hires for the 2021-2025 fiscal year periods.** This will demonstrate dedication to increasing diversity of highly skilled faculty (at all levels) to teach a diverse body of students.

*The College of Science racial discrimination plan included goals of targeted DEI hires, including one tenure stream faculty from each deficient demographic group.*²⁴

Several other GMU schools avoided the unconstitutional specific quotas, but promised to racially engineer their faculties to match the racial demographics of GMU’s student body using a

²¹ College of Science Inclusive Excellence Plan (Draft), at 10–12 (Apr. 1, 2021), Ex 5.

²² See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

²³ College of Science Inclusive Excellence Plan (Draft), at 10 (Apr. 1, 2021), Ex. 5.

²⁴ *Id.*

tactic known as demographic balancing.²⁵ For example, the Jimmy and Rosalynn Carter School for Peace and Conflict Resolution (Carter School) plan included a goal to “increase faculty diversity to equal the diversity of [its] student population.”²⁶ Importantly, the plan referenced only racial/ethnic diversity.²⁷

Goal: Increase the diversity of our instructional faculty	
Over 10 years we plan to increase faculty diversity to equal the diversity of our student population, specifically when related to the percentages of faculty of color, including African or African American, Asian or Asian American, and Latinx or Hispanic American faculty, and faculty of Middle Eastern descent:	
Spring 2021 Enrollment Data	
	Percentage
African Am	13%
Asian Am	4%
Hispanic Am	10%
White Am	53%
Race Not Reported	4%
Non Resident Alien	11%
Two or More	3%
Foreigners Abroad	1%

*The Carter School racial discrimination plan included a goal for faculty racial/ethnic diversity to equal student racial/ethnic diversity.*²⁸

Likewise, the College of Visual and Performing Arts plan set a goal of increasing “the percentage of BIPOC [Black, Indigenous, and People of Color] faculty and staff in CVPA [College of Visual and Performing Arts] to match or exceed the corresponding student population of CVPA by September 2024.”²⁹

²⁵ See Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan, Ex. 12; College of Visual and Performing Arts Inclusive Excellence Plan (Apr. 1, 2021), Ex. 13; College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14.

²⁶ Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan, at 14, Ex. 12.

²⁷ See *id.*

²⁸ *Id.*

²⁹ College of Visual and Performing Arts Inclusive Excellence Plan, at 4 (Apr. 1, 2021), Ex. 13.

We propose to increase the percentage of BIPOC faculty and staff in CVPA to match or exceed the corresponding student population of CVPA by September 2024.

We shall apply this standard to each CVPA employment category individually, by: (1) rank (dean, associate dean, or assistant dean; full, associate, or assistant professor); (2) type of contract (12-month, 9-month, admin, admin/faculty, term, adjunct, visiting professor or graduate lecturer); and (3) classification (salaried or wage).

CVPA's Spring 2021 **student** demographics, in rounded percentages, show that our student body is composed as follows: Black, 11%; Asian American, 11%; Hispanic American, 13%; White, 50%; two or more, 6%; Not Reporting, 2% Non-Resident Alien, 3%. Native American and Pacific Islander populations are at present very small (OIEP tables).

CVPA's Spring 2021 **full-time faculty** demographics, in rounded percentages, and in slightly differently-named categories per the data source, show that our professionate is composed as follows: Black, 6%; Asian American, 7%; Hispanic/Latino, 4%; White, 79%; two or more, 3%; Unknown: 1% (OIEP dashboard)

CVPA's **adjunct faculty** (Fall 2020) is a slightly more diverse population, at 67% White; the pool's variable nature and a larger number of "unknown" entries (8%), however, makes it difficult to generalize confidently about this category.

As these numbers demonstrate, there is a significant disparity between the composition of the student body and that of the faculty. We believe that the surest way to create shift the culture to one of inclusive excellence, while improving student recruiting, retention, and outcomes, is to make a major investment in faculty hiring and retention.

Assuming a steady state student mix (unlikely to occur, but for simplicity of modeling), factoring in expected retirements and normal attrition, **to reach approximate parity across faculty and student demographics in 2024 will require hiring an estimated 30 new full-time BIPOC faculty members.**

*The College of Visual and Performing Arts racial discrimination plan proposed to increase BIPOC faculty and staff to match or exceed the BIPOC student population.*³⁰

Finally, the College of Health and Human Services plan sought a “faculty that more closely reflects the composition of the student body.”³¹ Like the schools with racial quotas in their racial discrimination plans, the proportion of minority faculty within the Carter School, the College of Visual and Performing Arts, and the College of Health and Human Services increased after their creation of racial discrimination plans.³² Both the explicit racial quotas and the racial demographic balancing likely violated Titles VI and VII of the Civil Rights Act.³³

Dr. Washington refuses to take responsibility for racial discrimination at GMU and lied to Congress about his role in GMU's illegal discriminatory conduct.

Despite significant evidence showing that GMU engaged in illegal racial discrimination to implement ARIE—and Dr. Washington's own acknowledgement that ARIE was “a

³⁰ College of Visual and Performing Arts Inclusive Excellence Plan, at 4 (Apr. 1, 2021), Ex. 13.

³¹ College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14.

³² See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

³³ See 42 U.S.C. §§ 2000d *et seq.*; 42 U.S.C. §§ 2000e *et seq.*

presidential initiative”—Dr. Washington refuses to take accountability.³⁴ In his transcribed interview with the Committee, Dr. Washington asserted, despite significant evidence to the contrary, that GMU has never illegally discriminated based on race.³⁵ Dr. Washington also repeatedly attempted to shift the blame, downplaying his role in the creation of the racial discrimination plans and in GMU’s use of racial quotas and racial demographic balancing in hiring.³⁶ In doing so, Dr. Washington appears to have made at least two material false statements to the Committee despite being warned that 18 U.S.C. § 1001, a statute prohibiting individuals from lying to Congress, applied during the interview.³⁷

First, Dr. Washington wrongly stated that schools would not have been punished if they did not draft racial discrimination plans. He testified:

Q. So the [ARIE] initiative directed schools and colleges to develop plans and then there was no—

A. So those plans emanate from the faculty. And as I stated earlier, it’s hard to direct or force faculty to do anything. We ask that plans be developed and units [schools] develop[ed] the plans. If units did not want to develop a plan, they did not have to. **There was no, for lack of a better way of putting it, there was no punishment or there was nothing that we could do to a unit that did not do a plan.**³⁸

Documents and testimony obtained by the Committee, however, show that Dr. Washington and his deputies actively sought to punish schools that did not comply with his racial discrimination mandates. A senior GMU official told the Committee that GMU financially punished any school that resisted Dr. Washington’s unconstitutional initiative.³⁹ Specifically, GMU stripped each school of six percent of its operating budget to be reallocated among schools that “developed plans that were aligned” with Dr. Washington’s racial diversity goals.⁴⁰ Dr. Washington’s demands included “specific and measurable goals/metrics for achieving increased faculty and staff diversity,” though for some schools, “Asians [did] not count,” per GMU’s then-HR Director.⁴¹

³⁴ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.); see Stephanie Saul, *At George Mason University, Trump Has Found an Unbending Adversary*, N.Y. TIMES (Sept. 6, 2025) (noting Dr. Washington refused to apologize over his efforts as President of George Mason University to support racial diversity, which the Education Department found involved intentionally discriminating on the basis of race).

³⁵ See Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

³⁶ *Id.*

³⁷ *Id.*; 18 U.S.C. § 1001 (prohibiting individuals from knowingly and willfully making materially false statements to Congress).

³⁸ See Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.) (emphasis added).

³⁹ See Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 2 (2025), Ex. 15.

⁴⁰ *Id.*

⁴¹ *Id.* at 3.

In early 2021 there were high-level discussions with the president of how academic units could incorporate anti-racism principles in their curricula and also in tenure & promotion processes. The president reported that these procedures were to be codified by fall semester 2023. Among other actions he proposed: an Anti-Racism Inclusive Excellent (ARIE) foundations course; a pilot program to conduct course audits and curriculum revisions aligned with ARIE principles; and that these were to be done mostly through an incentive model to implement various features of the plan. The incentive model was built off the president clawing back 6% of academic unit operating funds with the provision that money would be reallocated back to units that developed IE plans that were aligned with university goals that he directed. This was an entirely top-down driven process.

*A senior GMU official described Dr. Washington's retaliation against schools that failed to adopt racial discrimination plans aligned with Dr. Washington's initiative.*⁴²

Ken Randall, the dean of George Mason University's Antonin Scalia Law School (Scalia Law School), similarly emphasized that Dr. Washington's racial discrimination plans were not optional, testifying to the Committee:

Q. Are you aware if every school ended up creating a [racial discrimination] plan?

A. . . . I don't know how you could've gotten by without it because all of these things were addressed to all deans, and it was a mandate. I had no – I mean, you couldn't operate without it. **You'd get fired if you didn't have a plan.**⁴³

Additionally, Dr. Washington falsely stated that racial discrimination plans were not formally reviewed by university administration. He testified to the Committee:

Q. And these inclusive excellence plans . . . once they were drafted was there any review process?

A. **There was no formal review process.** There was no formal approval process of the plans. The plans were basically structured at the unit level. There might have been a unit that had gotten feedback or some engagement, but there was no formal process set up for acceptance of the plans.⁴⁴

Again, the evidence contradicts Dr. Washington's testimony.⁴⁵ In a performance self-assessment that *Dr. Washington reviewed, rated, and provided comments on*, GMU Vice

⁴² See Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 3 (2025), Ex. 15.

⁴³ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

⁴⁴ Transcribed Interview of Dr. Gregory Washington, President, George Mason Univ., H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.) (emphasis added).

⁴⁵ See 2023-2024 AP Faculty (President's Direct Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion (May 9, 2024), Ex. 16.

President for Diversity, Equity, and Inclusion Sharnnia Artis⁴⁶ highlighted the need to continue implementing Dr. Washington’s ARIE initiative by “recruiting faculty and staff that reflect the diverse population of the student body.”⁴⁷ Dr. Artis also explained that the DEI team “consistently reviewed, monitored, and supported unit IEPs [racial discrimination plans], ensuring that they are aligned with the university’s overarching goals for inclusive excellence.”⁴⁸ Further, Dr. Artis noted a desire to “reward [academic] units who successfully implement their IEPs [racial discrimination plans].”⁴⁹

GOALS, OBJECTIVES, & RESULTS: Provide the status and results of previously agreed-upon performance goals and objectives. Identify measurable outcomes that document progress made and/or goal/objective achievement. Communicate challenges which impacted successful completion of goal(s) and/or objectives, and any adjustments or realignments that were made during the evaluation year. If goals and/or objectives were not previously assigned or discussed, please describe work efforts/projects with measurable outcomes.

Reviewer	Rating
Sharnnia Artis (Self)	
Gregory Washington (Manager)	

Comments

Sharnnia Artis (Self) :

Goal #1: Continue implementation of the recommendations from the university’s ARIE Initiative by end of FY 24, June 30, 2024

- Continue to implement, measure, and monitor the outcomes of the ARIE Initiative and focus on completing recommendations for building infrastructure to support progress and accountability and recruit and retain faculty to reflect our student population by June 30, 2024. The governance structure (Accountability Team, Implementation Leadership Team, Implementation Working Group, and ARIE Ambassadors) established to lead and support the ARIE Initiative brings together more than 50 faculty, staff, students, and administrators to continue to implement, measure, and monitor the outcomes of the ARIE Initiative. Fourteen of the fifteen recommendations have been accomplished. The one recommendation that is still a work in progress is recruiting and retaining faculty and staff that reflect the diverse population of our student body. Select accomplishments from the ARIE Initiative include: **Inclusive Teaching Grants** – 2 categories of grants were awarded:

⁴⁶ The Office for Diversity, Equity, and Inclusion was renamed the Office of Access, Compliance, and Community in March 2025. See Gregory Washington, *Update on Federal Requirements (President Washington)*, GEORGE MASON UNIV. (Mar. 3, 2025), <https://www.gmu.edu/news/2025-03/update-federal-requirements-president-washington>.

⁴⁷ See 2023-2024 AP Faculty (President’s Direct Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion (May 9, 2024), at 6–7, Ex. 16.

⁴⁸ *Id.*

⁴⁹ *Id.* at 7–8.

Goal #2: Establish a process to evaluate Inclusive Excellence Plans (IEPs) and reward those units who are successfully implementing their plans by May 1, 2024

- **Utilize IEP Steering Committee to review, monitor, and support unit IEPs (ongoing).** Under my leadership, my team has made significant progress towards establishing a robust process to evaluate and acknowledge units for successfully Inclusive Excellence Plans (IEPs). Utilizing the IEP Steering Committee, we have consistently reviewed, monitored, and supported unit IEPs, ensuring that they are aligned with the university's overarching goals for inclusive excellence. This ongoing process has facilitated collaboration and accountability across units. In collaboration with the Office for Institutional Effectiveness and Planning (OIEP), my team is in the process of using Nuventive, Mason's platform for annual assessment planning and reporting, to collect IEP goals and metrics to assess progress.
- **Establish plan to reward units who successfully implement their IEPs by May 1, 2024.** At this time, funding is limited, so

*Vice President for DEI Sharnnia Artis outlined the process for reviewing racial discrimination plans in a document reviewed by Dr. Washington.*⁵⁰

Dr. Artis *directly reports* to Dr. Washington, and Dr. Washington reviewed, rated, and provided comments on this document, which is compelling evidence that he intended to mislead the Committee by denying that there was a “formal review process.”⁵¹

Additionally, a senior GMU official succinctly refuted Dr. Washington’s false testimony. The official told the Committee: “Any claim that academic units acted on their own in devising Inclusive Excellence (IE) plans [racial discrimination plans], without active engagement and oversight by university central administration is false.”⁵²

Any claim that academic units acted on their own in devising Inclusive Excellence (IE) plans, without active engagement and oversight by university central administration is false. This was a process managed by central administration under the president’s direction and active involvement. The president removed a significant amount of unit operating funds and made the reallocation of funds back to the units contingent on their developing Inclusive Excellence Plans (IEPs). That created intensified pressure on units to move according to a mandated deadline to submit an approved plan.

*A senior GMU official emphasized that Dr. Washington and his top staffers conceived, executed, and monitored the ARIE initiative.*⁵³

While schools that followed Dr. Washington’s racial discrimination mandates were seemingly rewarded, schools that failed to fully comply with Dr. Washington’s racial discrimination mandates incurred his wrath. Dean Randall told the Committee that he developed a less “metric-driven” racial discrimination plan because he was concerned that specific numerical hiring targets would violate the law.⁵⁴ Dean Randall also declined to appoint an

⁵⁰ See 2023-2024 AP Faculty (President’s Direct Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion (May 9, 2024), at 6–7, Ex. 16.

⁵¹ Cf. 2023-2024 AP Faculty (President’s Direct Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion (May 9, 2024), Ex. 16; Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

⁵² See Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 1 (2025), Ex. 15.

⁵³ *Id.*

⁵⁴ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

“equity advisor” for the law school, defying a mandate from Dr. Washington.⁵⁵ Shortly thereafter, Dr. Washington appeared to sabotage a regular American Bar Association (ABA) accreditation “inspection” of Scalia Law School, telling ABA inspectors that George Mason may be unable to continue to financially support the law school.⁵⁶ This jeopardized the law school’s accreditation and resulted in the ABA putting Scalia Law School on probation.⁵⁷

Dr. Washington has made numerous incendiary and offensive racial comments intended to influence hiring decisions.

Testimony to the Committee indicates that Dr. Washington regularly attempts to influence faculty hiring decisions on the basis of race, often making offensive comments in the process. These include:

- Hiring an African American candidate, who was added to a faculty search committee shortlist because of the candidate’s race, as GMU’s Vice President for Research, telling others that they should “give the brother a chance.”⁵⁸
- Telling Dean Randall in a 2022 phone call that Scalia Law School should pay racial minority professors more than racial majority professors.⁵⁹
- Telling GMU deans that there should be different standards for faculty promotion based on ethnic status.⁶⁰
- Telling the entire GMU community that “if you have two candidates who are both ‘above the bar’ in terms of requirements for a position, but one adds to your diversity and the other does not, then why couldn’t that candidate be better, even if that candidate may not have better credentials than the other candidate?”⁶¹
- Telling a dean that there were “too many Asians” in the hiring pool for a top position at his school.⁶²

⁵⁵ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

⁵⁶ *Id.*; see Inspection Report on George Mason University Antonin Scalia Law School, Am. Bar Ass’n (Feb. 14, 2023) (excerpt), Ex. 17.

⁵⁷ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

⁵⁸ See *id.*; Deposition of Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government, H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

⁵⁹ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

⁶⁰ *Id.*

⁶¹ Gregory Washington, *Adopting an Inclusive Excellence Framework for Hiring Will Deliver Best Candidates*, GEORGE MASON UNIV. (Apr. 15, 2021).

⁶² Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

Dr. Washington’s obsession with racial diversity—or more accurately, racial discrimination in favor of Hispanics and African Americans and at the expense of South Asians, Southeast Asians, Caucasians, and other demographics— is reflected by legally questionable actions that GMU undertook when hiring some of its most senior positions.⁶³ Take for example, the 2021 hiring of GMU’s vice president for research, the highest ranking researcher at GMU who oversees research, innovation, and economic development initiatives.⁶⁴ Before the search committee even started reviewing applications, Dr. Washington’s former top deputy, GMU’s then-Provost Mark Ginsberg, drafted an email to search committee members stating the committee should “conduct a careful review of the candidate pool and recommend to [the Provost] a diverse list of individuals . . . the [c]ommittee recommends inviting to campus for an interview. . . .”⁶⁵ This list would then inform a final unranked candidate list that both Provost Ginsberg and Dr. Washington reviewed.⁶⁶

Although members of the search committee tasked with making a hiring recommendation for this position are under confidentiality agreements, the Committee issued a subpoena to obtain the relevant testimony.⁶⁷ According to one search committee member, Dr. Naoru Koizumi, a professor and associate dean of research for GMU’s Policy and Government School, the search committee ranked roughly 40 qualified candidates and was considering inviting about 14 to 15 of the top 20 for interviews.⁶⁸ However, before that could occur, the search committee was “encouraged” to make its interview list diverse, even as the list contained a South Asian candidate and the top-ranked candidate was of Middle Eastern descent.⁶⁹ The search committee was subsequently guided to an African American candidate in the bottom half of the pool of qualified candidates who the search committee was not planning to interview.⁷⁰ Dr. Koizumi explained how at GMU under Dr. Washington, South Asian and Southeast Asian candidates do not count toward applicant diversity because they are not considered underrepresented minorities.⁷¹ She likewise explained that Middle Eastern candidates are considered Caucasian and thus cannot be minorities, let alone underrepresented minorities.⁷² In contrast, Hispanics and African Americans are considered underrepresented minorities and receive racial preference in hiring, which is unconstitutional and illegal.⁷³

⁶³ See Deposition of Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government, H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

⁶⁴ *Andre Marshall, PhD*, OFFICE OF THE PROVOST GEORGE MASON UNIV., <https://provost.gmu.edu/profiles/awmarsh> (last visited Oct. 27, 2025); Colleen Kearney Rich, *A Conversation with Andre Marshall*, GEORGE MASON UNIV. (July 1, 2021), <https://masonsquare.gmu.edu/news/2021-06/conversation-andre-marshall>.

⁶⁵ E-mail from Mark Ginsberg, Provost, George Mason University to Search Committee Members (draft), Ex. 21.

⁶⁶ See *id.*; Deposition of Dr. Naoru Koizumi, Associate Dean of Research., Schar School of Policy and Government, H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

⁶⁷ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government (Oct. 15, 2025) (attaching subpoena) (on file with the Comm.).

⁶⁸ Deposition of Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government, H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

Dr. Washington's obsession with a specific type of racial diversity is also illustrated by comments of then-Provost Mark Ginsberg. Dean Randall testified:

- Q. Did Dr. Ginsberg ever discuss DEI a lot?
- A. Yeah, he did. I don't think he talked about it as much as Dr. Washington did, but he would, you know, talk about it.
- Q. And, to the extent you know, did his comments mirror Dr. Washington's?
- A. He seemed to accept what Dr. Washington said . . . he did say to me once, referring to President Washington by name, **"You know, when Greg talks about diversity, he means Black,"** is what Ginsb[e]rg said to me.⁷⁴

Dr. Washington's strict focus on racial diversity permeated the university. In a focus group, students from the College of Public Health "recommend[ed] . . . expanding the meaning of diversity beyond race. . . ."⁷⁵

Student focus group participants also agreed that the college should prioritize and dedicate resources for implementing the inclusive excellence plan. They recommend enhancing the plan initiatives by clearly communicating what the college is striving to achieve; expanding the meaning of diversity beyond race to other groups based on gender, ability status, and other characteristics, and continuing to invite speakers and guest lecturers from diverse backgrounds to enrich student knowledge of different communities.

*Students in the College of Public Health noted that GMU's concept of diversity is strictly racial.*⁷⁶

*

*

*

Dr. Washington's denials and false statements notwithstanding, the record is clear: Dr. Washington established and directed the ARIE Task Force, which imposed financial penalties on GMU schools that did not clearly commit to racial discrimination in hiring. This initiative likely

⁷⁴ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

⁷⁵ *Review for Accreditation of the College of Public Health at George Mason University (Draft Report)*, Council on Educ. for Pub. Health (June 11, 2025) (excerpt) at 80, Ex. 20.

⁷⁶ *Review for Accreditation of the College of Public Health at George Mason University (Draft Report)*, Council on Educ. for Pub. Health (June 11, 2025) (excerpt) at 80, Ex. 20.

violated federal civil rights law and Dr. Washington appears to have violated federal law again by lying to the Committee to cover it up.

Dr. Washington's ARIE initiative officially ended on July 24, 2025, when GMU's Board of Visitors approved a resolution mandating that GMU ensures its programs, including faculty hiring, comply with federal civil rights law.⁷⁷ Despite a comprehensive record detailing his involvement, Dr. Washington refuses to accept responsibility for his actions or even acknowledge his initiative's illegality.

Discrimination on the basis of race, no matter its form, is wrong. As the Supreme Court has noted, "the way to stop discrimination on the basis of race is to stop discriminating on the basis of race."⁷⁸ To date, the Committee continues to receive documents responsive to its requests.⁷⁹ The Committee will continue its oversight, but issues this interim report to inform potential legislative reforms to end discriminatory policies at GMU and other federally funded universities.

⁷⁷ See Resolution of George Mason University Regarding Merit-Based Excellence, Student Opportunity, and Freedom from Discrimination (on file with Comm.); Angela Woolsey, *GMU President Refuses Trump Administration's Demand for Apology*, NBC 4 WASHINGTON (Aug. 26, 2025), <https://www.nbcwashington.com/news/local/northern-virginia/gmu-president-refuses-trump-administrations-demand-for-apology/3980075/>.

⁷⁸ See *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 748 (2007).

⁷⁹ See Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary & Rep. Chip Roy, Chairman, Subcomm. on the Const. and Ltd. Gov't., to Dr. Gregory Washington, President, George Mason University (July 29, 2025).

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
I. GMU’S PRESIDENT ENGINEERED A DISCRIMINATORY “ANTI-RACISM INITIATIVE”	
EMPHASIZING FACULTY DIVERSITY HIRING	16
A. Dr. Washington directly created the discriminatory Anti-Racism Task Force at GMU. ..	16
B. At Dr. Washington’s direction, the Anti-Racism Task Force developed racial discrimination plan guidance and threatened financial retaliation against schools that did not follow it.....	17
II. DR. WASHINGTON’S RACIAL DISCRIMINATION PLANS CALLED FOR ILLEGAL QUOTAS AND DEMOGRAPHIC BALANCING.....	21
A. Dr. Washington’s racial discrimination plans led to illegal racial hiring quotas.....	22
B. Dr. Washington’s racial discrimination plans called for illegal demographic balancing. .	24
C. The racial discrimination plans created by GMU schools under Dr. Washington’s direction likely violated civil rights law.	27
III. DR. WASHINGTON FAILS TO TAKE RESPONSIBILITY FOR DISCRIMINATORY CONDUCT AND LIED TO CONGRESS	30
A. Dr. Washington lied to Congress by stating that racial discrimination plans were optional and not reviewed by GMU leadership.	31
B. Dr. Washington’s focus on “diversity” is exclusively about race, as evidenced by his offensive and incendiary comments.....	39
C. Dr. Washington’s claim that Virginia state law required racial discrimination plans is unpersuasive.....	45
IV. CONCLUSION	46
APPENDIX.....	48

I. GMU’S PRESIDENT ENGINEERED A DISCRIMINATORY “ANTI-RACISM INITIATIVE” EMPHASIZING FACULTY DIVERSITY HIRING

On July 1, 2020, Dr. Washington was appointed the eighth president of George Mason University (GMU) in Fairfax, Virginia.⁸⁰ As President, Dr. Washington leads and manages GMU, an institution that Dr. Washington notes is Virginia’s “largest and most diverse public university,” with no single student racial population comprising more than 40 percent of the student body.⁸¹ Despite this diversity, Dr. Washington, less than one month into the job, determined that GMU was facing a racial inequity crisis.⁸² Dr. Washington vowed to address this crisis by pursuing an “Anti-Racism Initiative.”⁸³ The initiative, called the Anti-Racism and Inclusive Excellence (ARIE) Task Force, developed university-wide anti-racism guidance and directed each GMU school to create a specific implementation plan outlining how it would comply with Dr. Washington’s DEI goals.⁸⁴ This guidance emphasized that hiring faculty members of certain racial or ethnic backgrounds was key to Dr. Washington’s racial discrimination plans.⁸⁵

A. Dr. Washington directly created the discriminatory Anti-Racism Task Force at GMU.

On July 23, 2020, Dr. Washington publicly announced the President’s Task Force on Anti-Racism and Inclusive Excellence.⁸⁶ While most campus initiatives at GMU develop organically from students, faculty, and staff, the ARIE Task Force was different.⁸⁷ The ARIE

⁸⁰ *Gregory Washington*, GEORGE MASON UNIV., <https://president.gmu.edu/profiles/president> (last visited Oct. 16, 2025); Transcribed Interview of Dr. Gregory Washington, President, George Mason Univ., H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

⁸¹ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.); *George Mason in the Rankings*, GEORGE MASON UNIV., <https://www.gmu.edu/rankings> (last visited Oct. 16, 2025).

⁸² See George Mason University Board of Visitors President’s Planning Conference Meeting Minutes (July 30, 2020), Ex. 18.

⁸³ *Id.*

⁸⁴ Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence>. Dr. Washington defines anti-racism as “fighting racism” (i.e. the unfair treatment of individuals or groups because of their race) and defines inclusive excellence as the “process of developing systems and structures that include everyone.” See Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

⁸⁵ See George Mason University Inclusive Excellence Plan Template (Revised), Ex. 19; Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Office for Diversity, Equity, and Inclusion, Ex. 2.

⁸⁶ Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence>.

⁸⁷ See Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.) (“Most initiatives on campus don’t flow from the president. They actually flow—it’s literally a thousand flowers blooming. They flow from all over.”); Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence>.

Task Force was a presidential initiative.⁸⁸ Dr. Washington not only created the Task Force but developed its assignments and priorities.⁸⁹

Dr. Washington's announcement made clear the discriminatory motivation behind the initiative. Dr. Washington explained that the task force would (1) find where "systems, practice, and traditions of racial bias exist at George Mason University"; (2) build "intentional systems and standards of anti-racism"; and (3) make GMU a "local, regional, and national beacon for the advancement of anti-racism."⁹⁰ Dr. Washington also declared that "[a] number of university policies and practices that carry racist vestiges in their practices [would] be examined and/or curtailed."⁹¹ These vestiges were reportedly "never . . . defined" or "described."⁹²

Dr. Washington explained that to advance the task force, GMU would review "faculty salary equity," implement implicit bias training, and address other equity issues, like "invisible and uncredited labor," to "support faculty of color and women."⁹³ Additionally, Dr. Washington directed GMU to install "Equity Advisors in every academic department" to approve lists of candidates for hiring and promotion, raise awareness of faculty recruiting "best practices," and address individual issues raised by women and faculty from underrepresented groups.⁹⁴ Dr. Washington also explained GMU would recognize and reward "adversity barriers in promotion and tenure" by developing "specific mechanisms in the promotion and tenure process that recognize the invisible and uncredited emotional labor that people of color expend to learn, teach, discover, and work on campus."⁹⁵ Finally, Dr. Washington stated GMU schools would start "inclusive excellence planning," by creating specific, metric-driven plans describing their vision and definition of anti-racism and inclusiveness.⁹⁶

B. At Dr. Washington's direction, the Anti-Racism Task Force developed racial discrimination plan guidance and threatened financial retaliation against schools that did not follow it.

To help schools with "inclusive excellence planning," Dr. Washington directed the ARIE Task Force to develop metric-driven templates for schools to use when creating racial discrimination plans.⁹⁷ Accordingly, a template, reviewed by GMU's then-provost, Mark Ginsberg, directed GMU schools to address Dr. Washington's specific priorities within their

⁸⁸ See Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence>.

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

⁹³ Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence>.

⁹⁴ See *id.*

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ *Id.*

plans.⁹⁸ For example, the template stipulated that plans “*must* address” faculty hiring and retention and “staff hiring to advance diversity.”⁹⁹ This template also directed schools to list specific milestones for reaching identified goals, including hiring diversity.¹⁰⁰ Further, the template emphasized how goals should be “Specific, *Measurable*, Attainable, Relevant, and Time Bound.”¹⁰¹

Additionally, the ARIE Task Force, through GMU’s Office for Diversity, Equity, and Inclusion¹⁰² (DEI Office) distributed guidance to GMU schools.¹⁰³ The guidance, or “toolkit[s]” as the DEI Office called them, described the racial discrimination plans as “comprehensive, unit-specific plans designed to help academic and administrative units integrate diversity, equity, and educational quality efforts into their missions and institutional operations.”¹⁰⁴ The toolkits explained that the racial discrimination plans should allow for “measurable success and accountability” and noted faculty hiring and retention as a “priority area[]” for action.¹⁰⁵

Communications from university leadership also indicated that schools should assess their curricula, and even specific courses, to ensure that classroom instruction followed anti-racism principles.¹⁰⁶

⁹⁸ George Mason University Inclusive Excellence Plan Template (Revised), Ex. 19. Document metadata shows the template was reviewed by GMU’s then-Provost.

⁹⁹ *Id.* (emphasis added).

¹⁰⁰ *Id.*

¹⁰¹ *Id.* (emphasis added).

¹⁰² In March 2025, Dr. Washington announced that GMU renamed the Office for Diversity, Equity, and Inclusion as the Office of Access, Compliance, and Community. *See* Gregory Washington, *Update on Federal Requirements (President Washington)*, GEORGE MASON UNIV. (Mar. 3, 2025), <https://www.gmu.edu/news/2025-03/update-federal-requirements-president-washington>.

¹⁰³ *See* Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, Ex. 2.

¹⁰⁴ *See* Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion at 4, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion at 4, Ex. 2.

¹⁰⁵ *See* Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion at 4, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion at 4, Ex. 2.

¹⁰⁶ Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 2 (2025), Ex. 15.

Advancing Inclusive Excellence at Mason

At Mason, our **Inclusive Excellence Plans (IEPs)** are comprehensive, unit-specific plans designed to help academic and administrative units integrate diversity, equity, and educational quality efforts into their missions and institutional operations.

The purpose of the IE Planning Process is to develop an academic year action plan to serve as a roadmap to advance inclusive excellence while ensuring measurable success and accountability.

Priority areas identified for action planning include: Undergraduate Student Retention, Success and Degree Attainment, Graduate Student Recruitment, Retention and Degree Attainment, **Faculty Hiring and Retention**, Staff Hiring and Retention, Inclusive Teaching, Inclusive Climate.

*ARIE Task Force and GMU DEI Office racial discrimination plan guidance stated the plans' purpose and identified faculty hiring and retention as a priority.*¹⁰⁷

The toolkits also offered sample actions that GMU schools could take when addressing identified priority areas.¹⁰⁸ Proposed actions to address faculty and staff hiring and retention included implicit bias training and increasing applicant diversity.¹⁰⁹ Additionally, the guidance specified outcomes for racial discrimination plans.¹¹⁰ One outcome was “faculty and staff demographics that mirror student demographics.”¹¹¹

¹⁰⁷ Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion at 4, Ex. 1.

¹⁰⁸ See Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 5, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 5, Ex. 2.

¹⁰⁹ Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 5, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 5, Ex. 2.

¹¹⁰ Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 2.

¹¹¹ Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 2.

Outcomes

- 1 Maintained affordability of, and accessibility to, a Mason education
- 2 Faculty and staff demographics that mirror student demographics
- 3 Increased support structures to retain students of diverse backgrounds
- 4 Minority Serving Institution (MSI) designation
- 5 Improved engagement among faculty, staff, and students in DEI initiatives
- 6 Expanded funding for research, scholarship, and creative activity in DEI topics

*ARIE Task Force and GMU DEI Office racial discrimination plan guidance identified faculty and staff demographic balancing as a plan outcome.*¹¹²

Dr. Washington also threatened financial penalties for schools that did not comply with his racial discrimination directives. According to a senior GMU official, in 2021, Dr. Washington withdrew “6% of academic unit [GMU School] operating funds with the provision that money would be reallocated back to units that developed IE [racial discrimination] plans that were aligned with university goals that he directed.”¹¹³ Among Dr. Washington’s specific demands were “specific and measurable goals/metrics for achieving increased faculty and staff diversity,” though a top lieutenant later advised that in some cases, “Asians do not count as diversity hires.”¹¹⁴ As a result, school efforts to follow Dr. Washington’s initiative led to illegal racial discrimination.

¹¹² Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 1; Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 2, Ex. 2 (emphasis added).

¹¹³ Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 2 (2025), Ex. 15.

¹¹⁴ *Id.* at 1–3.

In early 2021 there were high-level discussions with the president of how academic units could incorporate anti-racism principles in their curricula and also in tenure & promotion processes. The president reported that these procedures were to be codified by fall semester 2023. Among other actions he proposed: an Anti-Racism Inclusive Excellent (ARIE) foundations course; a pilot program to conduct course audits and curriculum revisions aligned with ARIE principles; and that these were to be done mostly through an incentive model to implement various features of the plan. The incentive model was built off the president clawing back 6% of academic unit operating funds with the provision that money would be reallocated back to units that developed IE plans that were aligned with university goals that he directed. This was an entirely top-down driven process.

*A senior GMU official's disclosure detailed how Dr. Washington used financial pressure to ensure that schools complied with his racial discrimination directives.*¹¹⁵

II. DR. WASHINGTON'S RACIAL DISCRIMINATION PLANS CALLED FOR ILLEGAL QUOTAS AND DEMOGRAPHIC BALANCING

Following Dr. Washington's pressure campaign, every GMU school¹¹⁶ followed his directive to create a racial discrimination plan.¹¹⁷ Non-public documents obtained by the Committee reveal that at least three GMU schools implemented unconstitutional racial hiring quotas as part of their racial discrimination plans, while at least three more attempted to racially engineer their faculties to mirror student demographics.¹¹⁸ Generally, racial hiring quotas and demographic balancing in which employers attempt to match the racial demographics of employees with special qualifications to a general population, like a student body, constitute illegal racial discrimination likely violating Titles VI and VII of the Civil Rights Act.¹¹⁹

¹¹⁵ Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 1–3 (2025), Ex. 15.

¹¹⁶ George Mason University has ten schools: (1) Antonin Scalia Law School; (2) College of Education and Human Development; (3) College of Engineering and Computing; (4) College of Humanities and Social Sciences; (5) College of Public Health; (6) College of Science; (7) College of Visual and Performing Arts; (8) Costello College of Business; (9) Jimmy and Rosalynn Carter School for Peace and Conflict Resolution; and (10) Schar School of Policy and Government. *Colleges and Schools*, GEORGE MASON UNIV., <https://www.gmu.edu/academics/colleges-and-schools> (last visited Oct. 16, 2025).

¹¹⁷ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

¹¹⁸ See Volgenau School of Engineering Inclusive Excellence Plan (Apr. 1, 2021), Ex. 3; Schar School of Policy and Government Inclusive Excellence Plan (Apr. 1, 2021), Ex. 4; College of Science Inclusive Excellence Plan (Draft) (Apr. 1, 2021), Ex. 5; Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan, Ex. 12; College of Visual and Performing Arts Inclusive Excellence Plan (Apr. 1, 2021), Ex. 13; College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14.

¹¹⁹ See *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469, 499 (1989); *Johnson v. Transp. Agency*, 480 U.S. 616, 631–32 (1987); *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 289–90 (1978); *Hammon v. Barry*, 826 F.2d 73, 76–79, 81 (D.C. Cir. 1987); *Janowiak v. South Bend*, 836 F.2d 1034, 1037 (7th Cir. 1987).

A. Dr. Washington’s racial discrimination plans led to illegal racial hiring quotas.

GMU’s School of Engineering,¹²⁰ School of Policy and Government, and College of Science each instituted racial discrimination plans with racial hiring quotas for faculty.¹²¹ These plans set out specific numbers or proportions of minority faculty members that the schools would hire.¹²² These quotas implicitly meant that GMU schools, due to Dr. Washington’s ARIE agenda, would not consider candidates from races that did not satisfy the hiring quotas.

For example, the School of Engineering plan instituted quotas to increase the number of African American, Latino, and American Indian faculty.¹²³ Specifically, it pledged to “successfully hire and onboard 60% more (5) new-full time faculty from URM [Underrepresented Minority] racial/ethnic backgrounds.”¹²⁴ The School of Engineering subsequently hired three faculty from underrepresented backgrounds, and a number of other minority faculty, leading to a 15 percent relative increase in the proportion of minority faculty.¹²⁵

FACULTY AFFAIRS	The diverse makeup of VSE faculty aims to be a better representation of our student diversity	VSE will successfully hire and onboard 60% more (5) new full-time faculty from URM racial/ethnic backgrounds
------------------------	---	--

*The School of Engineering (VSE) racial discrimination plan included a quota of five faculty hires from underrepresented minority backgrounds.*¹²⁶

Similarly, the School of Policy and Government outlined an “ambitious hiring spree” to bring on 12 tenure line faculty at a specific ratio of 33 percent “Underrepresented Minorities”

¹²⁰ The Volgenau School of Engineering is now a component of George Mason University’s College of Engineering and Computing. See Martha Bushong, *SCHEV Approves Mason’s College of Engineering and Computing*, GEORGE MASON UNIV. (Mar. 24, 2021), <https://www.gmu.edu/news/2021-03/schev-approves-masons-college-engineering-and-computing>.

¹²¹ See Volgenau School of Engineering Inclusive Excellence Plan (Apr. 1, 2021), Ex. 3; Schar School of Policy and Government Inclusive Excellence Plan (Apr. 1, 2021), Ex. 4; College of Science Inclusive Excellence Plan (Draft) (Apr. 1, 2021), Ex. 5.

¹²² See *id.*

¹²³ Volgenau School of Engineering Inclusive Excellence Plan at 4 (Apr. 1, 2021), Ex. 3.

¹²⁴ *Id.* at 18.

¹²⁵ See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11; George Mason University Hiring Data FY21 to FY25 (on file with Comm.).

¹²⁶ Volgenau School of Engineering Inclusive Excellence Plan at 4 (Apr. 1, 2021), Ex. 3.

and 50 percent “Minorities.”¹²⁷ To help achieve this, the School’s plan required all faculty searches to include “one finalist from an underrepresented minority background” leading to a 64 percent relative increase in the proportion of minority faculty.¹²⁸

1. Faculty Hiring and Retention	
A. Faculty and Staff Hiring	
a. Goals (for details on successes in hiring since Fall ‘16, please see above section Overview, #3. Overall Goal for Inclusive Excellence)	
i. The Schar School will be embarking on an ambitious hiring spree of 12 tenure-line faculty over the coming 4 years. We have committed to hiring 4 administrative faculty over this time, and we expect to hire 1-2 term faculty each year. Our goal is to continue to hire underrepresented minorities and minorities at approximately the ratio we have achieved since Fall ‘16:	
1. Underrepresented Minorities: African American, Hispanic, Native American, 2 or More Races	33%
2. Minorities: African American, Hispanic, Native American, 2 or More Races, Asian	50%
3. Women	50%

*The School of Policy and Government racial discrimination plan outlined racial quotas for 12 new faculty hires.*¹²⁹

Likewise, the College of Science draft racial discrimination plan promised four years of “targeted DEI hires” of “tenure stream faculty,” including “a minimum of one” African American, one Latino, and one Indigenous person.¹³⁰ The College of Science noted its plan was intended to fully comply with Dr. Washington’s racial discrimination initiative.¹³¹ The College of Science subsequently had an eight percent relative increase in the proportion of minority faculty.¹³²

¹²⁷ Schar School of Policy and Government Inclusive Excellence Plan, at 4 (Apr. 1, 2021), Ex. 4.

¹²⁸ *Id.* at 9; See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

¹²⁹ Schar School of Policy and Government Inclusive Excellence Plan, at 4 (Apr. 1, 2021), Ex. 4.

¹³⁰ College of Science Inclusive Excellence Plan (Draft), 10–12 (Apr. 1, 2021), Ex. 5.

¹³¹ See *id.* at 10–11.

¹³² See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for*

Focusing on Fall 2020 as a recent benchmark, the three groups readily identifiable as underrepresented include **Black or African American** (1.8%) and **Hispanic or Latino** (1.8%) and **Indigenous People** (0.0%).

10



College of Science

*The College of Science racial discrimination plan identified deficient faculty racial demographic groups.*¹³³

SMART GOAL 1: Each department request and hire, through a target/direct hire mechanism, a minimum of one tenure stream faculty in each of the deficient demographic areas highlighted above. THIS WILL REQUIRE DEDICATED EFFORT in terms of recruitment, job ad placement, commitment on the part of COS Administration (Dean, Associate Dean of Faculty Affairs, HR, CBO and newly hired full-time CDO and assistant CDO for COS and other diversity champions).

11



College of Science

2. COS will plan and budget for targeted DEI hires for the 2021-2025 fiscal year periods. This will demonstrate dedication to increasing diversity of highly skilled faculty (at all levels) to teach a diverse body of students.

*The College of Science racial discrimination plan included goals of targeted DEI hires, including one tenure stream faculty from each deficient demographic group.*¹³⁴

B. Dr. Washington's racial discrimination plans called for illegal demographic balancing.

Other GMU schools sought more faculty diversity not by setting hiring quotas, but by matching the faculty's racial makeup with the student body's racial makeup. These schools included the Jimmy and Rosalynn Carter School for Peace and Conflict Resolution (Carter School), the College of Visual and Performing Arts, and the College of Health and Human Services.¹³⁵

Minorities & Women Mason Square, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

¹³³ College of Science Inclusive Excellence Plan (Draft), at 10 (Apr. 1, 2021), Ex. 5.

¹³⁴ *Id.* at 11–12.

¹³⁵ The College of Health and Human Services was renamed the College of Public Health on November 1, 2022. See *George Mason University Launches Virginia's First College of Public Health*, GEORGE MASON UNIV. (Nov. 1, 2022), <https://www.gmu.edu/news/2022-10/george-mason-university-launches-virginias-first-college-public-health>;

The Carter School racial discrimination plan included a goal to “increase faculty diversity to equal the diversity of [its] student population,” exclusively referencing racial and ethnic diversity.¹³⁶ The Carter School subsequently had a ten percent relative increase in the proportion of minority faculty.¹³⁷

Goal: Increase the diversity of our instructional faculty	
Over 10 years we plan to increase faculty diversity to equal the diversity of our student population, specifically when related to the percentages of faculty of color, including African or African American, Asian or Asian American, and Latinx or Hispanic American faculty, and faculty of Middle Eastern descent:	
Spring 2021 Enrollment Data	
	Percentage
African Am	13%
Asian Am	4%
Hispanic Am	10%
White Am	53%
Race Not Reported	4%
Non Resident Alien	11%
Two or More	3%
Foreigners Abroad	1%

*The Carter School racial discrimination plan included a goal for faculty and student racial diversity to match.*¹³⁸

Similarly, the College of Visual and Performing Arts plan focused exclusively on racial and ethnic diversity, setting a goal of “increasing the percentage of BIPOC [Black, Indigenous, and People of Color] faculty and staff in CVPA to match or exceed the corresponding student population of CVPA by September 2024.”¹³⁹ The plan noted that about 30 new full-time BIPOC faculty members were needed to achieve this goal.¹⁴⁰ During the four years following the College of Visual and Performing Arts plan, approximately 65 percent of new hires were from

Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan, Ex. 12; College of Visual and Performing Arts Inclusive Excellence Plan (Apr. 1, 2021), Ex. 13; College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14.

¹³⁶ Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan at 14, Ex. 12.

¹³⁷ See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

¹³⁸ Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan at 14, Ex. 12.

¹³⁹ College of Visual and Performing Arts Inclusive Excellence Plan at 4 (Apr. 1, 2021), Ex. 13.

¹⁴⁰ College of Visual and Performing Arts Inclusive Excellence Plan at 4 (Apr. 1, 2021), Ex. 13.

minority backgrounds, leading to a 50 percent relative increase in the proportion of minority faculty.¹⁴¹

We propose to increase the percentage of BIPOC faculty and staff in CVPA to match or exceed the corresponding student population of CVPA by September 2024.

We shall apply this standard to each CVPA employment category individually, by: (1) rank (dean, associate dean, or assistant dean; full, associate, or assistant professor); (2) type of contract (12-month, 9-month, admin, admin/faculty, term, adjunct, visiting professor or graduate lecturer); and (3) classification (salaried or wage).

CVPA's Spring 2021 **student** demographics, in rounded percentages, show that our student body is composed as follows: Black, 11%; Asian American, 11%; Hispanic American, 13%; White, 50%; two or more, 6%; Not Reporting, 2% Non-Resident Alien, 3%. Native American and Pacific Islander populations are at present very small (OIEP tables).

CVPA's Spring 2021 **full-time faculty** demographics, in rounded percentages, and in slightly differently-named categories per the data source, show that our professoriate is composed as follows: Black, 6%; Asian American, 7%; Hispanic/Latino, 4%; White, 79%; two or more, 3%; Unknown: 1% (OIEP dashboard)

CVPA's **adjunct faculty** (Fall 2020) is a slightly more diverse population, at 67% White; the pool's variable nature and a larger number of "unknown" entries (8%), however, makes it difficult to generalize confidently about this category.

As these numbers demonstrate, there is a significant disparity between the composition of the student body and that of the faculty. We believe that the surest way to create shift the culture to one of inclusive excellence, while improving student recruiting, retention, and outcomes, is to make a major investment in faculty hiring and retention.

Assuming a steady state student mix (unlikely to occur, but for simplicity of modeling), factoring in expected retirements and normal attrition, to reach approximate parity across faculty and student demographics in 2024 will require hiring an estimated 30 new full-time BIPOC faculty members.

*The College of Visual and Performing Arts racial discrimination plan proposed to increase BIPOC faculty and staff to match or exceed the BIPOC student population.*¹⁴²

Finally, the College of Health and Human Services plan sought a "faculty that more closely reflects the composition of the student body."¹⁴³ This plan also sought to hire faculty specifically with a demonstrated commitment to "health and social equity."¹⁴⁴ Although the plan did not specify what specific characteristic of the faculty should closely match the student body's composition, the plan contains data classifying staff based on race and data outlining the number of underrepresented minority students, which indicates that the College of Health and Human

¹⁴¹ See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11; George Mason University Hiring Data FY21 to FY25 (on file with Comm.).

¹⁴² College of Visual and Performing Arts Inclusive Excellence Plan at 4 (Apr. 1, 2021), Ex. 13.

¹⁴³ College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14.

¹⁴⁴ *Id.*

Services aimed to have faculty racial and ethnic demographics match student body racial and ethnic demographics.¹⁴⁵ The College subsequently had a 49 percent relative increase in the proportion of minority faculty.¹⁴⁶

Faculty Recruitment and Retention. The College's Inclusive Excellence Plan includes goals and objectives for faculty hiring and retention:

Faculty Recruitment:

Goal: Implement a College-wide Inclusive Excellence plan for effectively recruiting faculty with a demonstrated commitment to health and social equity within one year, with ongoing recruitments, thereafter.

Objective A: Increase the hiring of qualified faculty in order to achieve a faculty that more closely reflects the composition of the student body.

*The College of Health and Human Services racial discrimination plan objective to achieve a faculty more closely reflecting the student body's composition.*¹⁴⁷

In total, the School of Engineering, School of Policy and Government, College of Science, Carter School, College of Visual and Performing Arts, and College of Health and Human Services all saw increases in their percentage of minority faculty, evidence that race likely played a factor in hiring decisions.¹⁴⁸

C. The racial discrimination plans created by GMU schools under Dr. Washington's direction likely violated civil rights law.

Titles VI and VII of the Civil Rights Act of 1964 ("Civil Rights Act") generally prohibit race-based discrimination.¹⁴⁹ Title VI prohibits discrimination based on *race*, color, or national origin in programs and activities receiving federal financial assistance, while Title VII of the Civil Rights Act prohibits workplace discrimination based on *race*, color, religion, sex, or

¹⁴⁵ College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14.

¹⁴⁶ See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

¹⁴⁷ College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14

¹⁴⁸ See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax Campus*, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

¹⁴⁹ See 42 U.S.C. §§ 2000d *et seq.*; 42 U.S.C. §§ 2000e *et seq.*

national origin.¹⁵⁰ Under Title VII, workplace discrimination includes “fail[ing] or refus[ing] to hire or to discharge any individual . . . because of such individual’s race.”¹⁵¹ The Supreme Court has explained that the requirements of the Civil Rights Act apply even if hiring decisions are well-intentioned.¹⁵² On this basis, GMU’s schools—institutions of higher education that receive federal taxpayer funding¹⁵³—likely violated Titles VI and VII of the Civil Rights Act by unlawfully discriminating against faculty applicants based on race to advance Dr. Washington’s ARIE initiative.¹⁵⁴

First, GMU’s use of specific racial quotas in its faculty hiring decisions likely violated federal law. Federal courts, including the Supreme Court, have consistently held that the use of racial quotas constitutes unlawful racial discrimination.¹⁵⁵ In *Regents of the University of California v. Bakke*, the Court found that a medical school admissions program containing explicit limitations based on race by saving 16 seats for “Blacks,” “Chicanos,” “Asians,” and “American Indians,” “whether . . . described as a quota or a goal,” was unlawful.¹⁵⁶ The Court reasoned that such explicit limitations that “totally exclude[]” non-minority candidates solely because of their race and thus disregards individual rights, were not narrowly tailored to achieve a compelling government interest.¹⁵⁷ In *City of Richmond v. J.A. Croson Company*, the Court extended the underlying principle in *Bakke*, that to justify the use of racial classifications government action must be narrowly tailored to achieve a compelling government interest, beyond higher education admissions programs.¹⁵⁸ The Court noted that claims of past discrimination “cannot justify the use of an unyielding racial quota” in public contract awards.¹⁵⁹ Although the case involved public contracting, the Court’s finding that racial classifications are subject to strict scrutiny applies equally to public employment programs.¹⁶⁰ Thus, explicit quotas

¹⁵⁰ See 42 U.S.C. §§ 2000d *et seq.*; 42 U.S.C. §§ 2000e *et seq.* (emphasis added).

¹⁵¹ See 42 U.S.C. §§ 2000e–2000e-2(a)(1).

¹⁵² See *Ricci v. DeStefano*, 557 U.S. 557, 579–81 (2009).

¹⁵³ See, e.g., Damian Cristodero, *Mason Research Shows Its Strength in NSF Report*, GEORGE MASON UNIV. (Feb. 2, 2023), <https://www.gmu.edu/news/2023-02/mason-research-shows-its-strength-nsf-report> (noting George Mason University receives federal research funding); *George Mason Awarded \$5 Million from U.S. Department of Education to Increase School Counselors in High-Need Schools*, GEORGE MASON UNIV. (June 4, 2025), <https://www.gmu.edu/news/2025-06/george-mason-awarded-5-million-us-department-education-increase-school-counselors-high> (stating U.S. Department of Education awarded GMU \$5 million); *George Mason University*, DATA USA, <https://datausa.io/profile/university/george-mason-university> (last visited Oct. 16, 2025) (noting GMU received \$157 million in federal grants and contracts as of 2023).

¹⁵⁴ On August 22, 2025, the Department of Education announced GMU violated Title VI of the Civil Rights Act by illegally using race and other immutable characteristics in university practices and policies, including hiring and promotion. See Press Release, U.S. Dep’t of Educ., U.S. Department of Education’s Office for Civil Rights Finds George Mason University Has Violated Title VI (Aug. 22, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-educations-office-civil-rights-finds-george-mason-university-has-violated-title-vi>. GMU’s anti-racism plans also likely violated the Fourteenth Amendment’s Equal Protection Clause. See *Bakke*, 438 U.S. at 287 (“Title VI [of the Civil Rights Act] must be held to proscribe only those racial classifications that would violate the Equal Protection Clause.”); *Janowiak v. South Bend*, 836 F.2d 1034, 1039–42 (7th Cir. 1987) (holding a city’s affirmative action plan violated both Title VII of the Civil Rights Act and the Fourteenth Amendment’s Equal Protection Clause).

¹⁵⁵ See, e.g., *J.A. Croson Co.*, 488 U.S. at 499; *Bakke*, 438 U.S. at 289–90.

¹⁵⁶ *Bakke*, 438 U.S. at 274–75, 289.

¹⁵⁷ *Id.* at 307–08, 318–20.

¹⁵⁸ See *J.A. Croson Co.*, 488 U.S. at 499; *Bakke*, 438 U.S. at 305–06,

¹⁵⁹ See *J.A. Croson Co.*, 488 U.S. at 499.

¹⁶⁰ *Id.*

that give preference to one group for no reason other than race or ethnic origin likely violate the law. At least three GMU schools—the School of Engineering, the School of Policy and Government, and the College of Science—did exactly this by creating racial discrimination plans that set quotas for faculty hiring.¹⁶¹ The use of specific metrics for racial hiring targets constituted racial discrimination and likely violated Titles VI and VII of the Civil Rights Act.

Courts have also found that demographic balancing, an attempt to mirror the demographics of one group with another, can be unlawful.¹⁶² As the Supreme Court has stated, demographic balancing in employment is unlawful unless there is “a ‘manifest’ imbalance that reflect[s] underrepresentation [of minorities] in traditionally segregated job categories.”¹⁶³ A disparity between the percentage of minority employees in a position requiring special expertise and the percentage of minorities in a broader community, however, is not sufficient to show such a manifest imbalance.¹⁶⁴ Instead, there must be a disparity between the percentage of minority employees in a specific position and the percentage of minority candidates in the relevant labor market.¹⁶⁵

The relevant case law makes clear that GMU’s attempts to demographically balance would be legal only if the proportion of minority professors in a given school lagged significantly behind the proportion of minority individuals who have the qualifications to be a professor in that subject.¹⁶⁶ Instead, the nonpublic documents obtained by the Committee show that GMU’s demographic balancing is specifically geared toward a different—and impermissible—goal. The Carter School, the College of Visual and Performing Arts, and the College of Health and Human Services, following Dr. Washington’s racial discrimination plan template and guidance, each attempted to racially balance the faculty population with the *student* population.¹⁶⁷ None of the three made the necessary finding that there was a manifest imbalance

¹⁶¹ See Volgenau School of Engineering Inclusive Excellence Plan (Apr. 1, 2021), Ex. 3; Schar School of Policy and Government Inclusive Excellence Plan (Apr. 1, 2021), Ex. 4; College of Science Inclusive Excellence Plan (Draft) (Apr. 1, 2021), Ex. 5.

¹⁶² See *J.A. Croson Co.*, 488 U.S. at 501–03, 510–11; *Hammon* 826 F.2d at 76–79, 81. *Janowiak*, 836 F.2d at 1037–40.

¹⁶³ See *Johnson*, 480 U.S. at 621–22, 641–42 (holding an Agency plan designed to attain a workforce whose composition reflected the proportion of minorities in the area labor force was lawful as it represented a moderate, flexible, case-by-case approach to effecting a gradual improvement in the representation of minorities and in the Agency’s workforce).

¹⁶⁴ See *id.* at 632.

¹⁶⁵ See *J.A. Croson Co.*, 488 U.S. at 501 (noting when special qualifications are required to fill certain jobs, comparisons to a general population rather than to a population who possesses the necessary qualifications may have little probative value); *Johnson*, 480 U.S. at 621–22, 641–42; *Hammon*, 826 F.2d at 77–78 (noting the correct comparison when determining whether an employment plan to remedy vestiges of discrimination was lawful was the percentage of “blacks” in the District’s Fire Department with the percentage of “blacks” in the Washington metropolitan area, not just the Nation’s capital, since most of the District’s firefighters come from the suburbs.). *Janowiak*, 836 F.2d at 1037–40 (holding a city’s affirmative action plan was unlawful because it was based on the difference between the percentage of minorities hired by the city’s police and fire departments and the percentage of minorities in the population instead of the percentage of minorities who possess the relevant qualifications to be hired by the police and fire departments).

¹⁶⁶ See *Johnson*, 480 U.S. at 631–32.

¹⁶⁷ See Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan, 14, Ex. 12; College of Visual and Performing Arts Inclusive Excellence Plan (Apr. 1, 2021), at 4, Ex. 13; College of Health and Human Services Inclusive Excellence Plan (Apr. 1, 2021), Ex. 14.

between the racial diversity of their faculty and the broader potential applicant pool.¹⁶⁸ In fact, the Carter School specifically noted it was “at or above the national averages for Black and Hispanic faculty.”¹⁶⁹ Despite this, the Carter School sought to increase the representation of underrepresented groups so its faculty racial diversity could equal its student racial diversity.¹⁷⁰

GMU receives millions of dollars in federal funding from agencies ranging from the Department of Education to the Department of War.¹⁷¹ For example, in Fiscal Year 2024, GMU received \$37.9 million from the Department of War alone.¹⁷² Courts have been clear that the requirements of the Civil Rights Act apply to colleges and universities receiving federal funds.¹⁷³ As such, based on the information obtained by the Committee, it appears likely that GMU’s actions to advance Dr. Washington racial discrimination agenda constitute racial employment discrimination in violation of Titles VI and VII of the Civil Rights Act.

III. DR. WASHINGTON FAILS TO TAKE RESPONSIBILITY FOR DISCRIMINATORY CONDUCT AND LIED TO CONGRESS

Despite the mountain of evidence showing that Dr. Washington’s ARIE initiative led to unlawful racial discrimination at GMU, Dr. Washington refuses to take responsibility. Instead, he continues to defend his racial discrimination initiative. After the Department of Education initiated an investigation into civil rights violations at GMU, Dr. Washington, in a public announcement to the GMU community, asserted without evidence that GMU never discriminated based on race.¹⁷⁴ Dr. Washington reiterated this assertion in his testimony before the Committee.¹⁷⁵ He stated:

Q. Okay. I’ll direct you to page 2 of the statement . . .
“**George Mason** has always operated with a commitment to equality under the law, ever since our inception. It is simply

¹⁶⁸ See *id.*

¹⁶⁹ Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan at 14, Ex. 12.

¹⁷⁰ See *id.*

¹⁷¹ See, e.g., Damian Cristodero, *Mason Research Shows Its Strength in NSF Report*, GEORGE MASON UNIV. (Feb. 2, 2023), <https://www.gmu.edu/news/2023-02/mason-research-shows-its-strength-nsf-report> (noting George Mason University receives federal research funding); *George Mason Awarded \$5 Million from U.S. Department of Education to Increase School Counselors in High-Need Schools*, GEORGE MASON UNIV. (June 4, 2025), <https://www.gmu.edu/news/2025-06/george-mason-awarded-5-million-us-department-education-increase-school-counselors-high> (stating U.S. Department of Education awarded GMU \$5 million); *George Mason University*, DATA USA, <https://datausa.io/profile/university/george-mason-university> (last visited Oct. 16, 2025) (noting GMU received \$157 million in federal grants and contracts as of 2023).

¹⁷² OFFICE OF STRATEGIC BUDGETING & PLANNING, GEORGE MASON UNIV., FY 2025 EXECUTIVE SUMMARY, <https://fiscal.gmu.edu/wp-content/uploads/FY25-Budget-Book-Executive-Summary.pdf>.

¹⁷³ *Cannon v. Univ. of Chic.* 441 U.S. 677, 695-96 (1979) (noting Title VI of the Civil Rights Act of 1964 provides an administrative mechanism for terminating federal financial support for educational institutions engaging in prohibited discrimination); *Bakke*, 438 U.S. at 284 (“Examination of the voluminous legislative history of Title VI reveals a congressional intent to halt federal funding of entities that violate a prohibition of racial discrimination. . . .”).

¹⁷⁴ See *Update on University Response to Investigations*, GEORGE MASON UNIV. (July 16, 2025), <https://www.gmu.edu/news/2025-07/update-university-response-investigations>.

¹⁷⁵ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

the Mason way, and in my experience, it **has not discriminated based on race, color, national origin, or otherwise**. . . . The investigation reportedly stems from a complaint alleging that the university’s diversity, equity, and inclusion (DEI) efforts, amount to unlawful racial preference. The university strongly rejects that characterization.” **Do you still stand by this statement?** . . .

A. **Yes.**¹⁷⁶

While defending his initiative, Dr. Washington at times sought to distance himself from the results of his “presidential initiative” by claiming that schools were not punished for failing to create racial discrimination plans and that schools’ implementation of racial discrimination plans was not monitored.¹⁷⁷ Both of these claims are materially false and contradicted by evidence obtained by the Committee. In making these comments, Dr. Washington likely violated 18 U.S.C. § 1001, under which it is illegal to make false statements to Congress.¹⁷⁸ Dr. Washington’s other attempts to defend his initiative—his claims that at GMU diversity means more than just race and that his initiative was developed in response to Virginia state law—are also flawed and unpersuasive.¹⁷⁹

A. Dr. Washington lied to Congress by stating that racial discrimination plans were optional and not reviewed by GMU leadership.

During Dr. Washington’s September 2025 interview with the Committee, Dr. Washington repeatedly sought to defend his ARIE initiative.¹⁸⁰ He claimed that GMU’s racial discrimination plans were optional and never reviewed once they were drafted.¹⁸¹ These claims are demonstrably false.

First, Dr. Washington testified that GMU schools did not have to create racial discrimination plans. He asserted:

Q. So the [ARIE] initiative directed schools and colleges to develop plans and then there was no—

A. So those [racial discrimination] plans emanate from the faculty. And as I stated earlier, it’s hard to direct or force faculty to do anything. We ask that plans be developed and units [schools] develop[ed] the plans. **If units did not want to develop a plan, they did not have to. There was no, for**

¹⁷⁶ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.) (emphasis added).

¹⁷⁷ *Id.*

¹⁷⁸ *See* 18 U.S.C. § 1001.

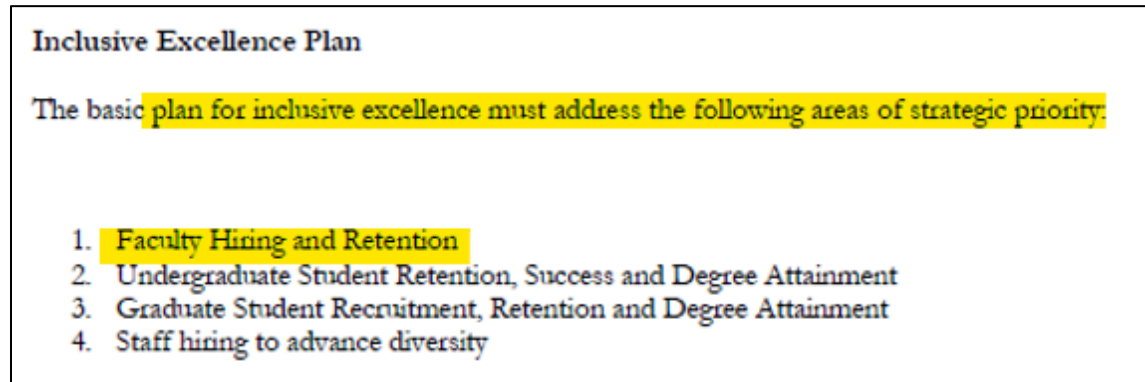
¹⁷⁹ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

¹⁸⁰ *Id.*

¹⁸¹ *Id.*

lack of a better way of putting it, there was no punishment or there was nothing that we could do to a unit that did not do a plan.¹⁸²

Dr. Washington’s claim that racial discrimination plans were optional is directly refuted by the evidence obtained by the Committee. As a threshold matter, it is undercut by the plain text of the racial discrimination guidance provided to schools, which emphasized that plans “must” address topics including “faculty hiring and retention.”¹⁸³



*GMU guidance for creating racial discrimination plans emphasized their mandatory nature.*¹⁸⁴

Other testimony shows that senior GMU officials took Dr. Washington’s directive to heart. Dean Ken Randall of Scalia Law School, for example, testified to the Committee that there was nothing optional about the racial discrimination plans, calling the plans Dr. Washington’s “top agenda item” and his “unitary mission.”¹⁸⁵ Dean Randall emphasized that “you’d get fired if you didn’t have a plan”:

Q. Are you aware if every school ended up creating a plan?

A. . . . I don’t know how you could’ve gotten by without it because all of these things were addressed to all deans, and **it was a mandate.** I had no – I mean, you couldn’t operate without it. **You’d get fired if you didn’t have a plan.**¹⁸⁶

Next, Dr. Washington testified to the Committee that there was no approval process for schools’ racial discrimination plans:

¹⁸² Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.) (emphasis added).

¹⁸³ George Mason University Inclusive Excellence Plan Template (Revised), Ex. 19.

¹⁸⁴ *Id.* (emphasis added).

¹⁸⁵ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

¹⁸⁶ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

Q. And these inclusive excellence plans . . . once they were drafted was there any review process?

A. **There was no formal review process.** There was no formal approval process of the plans. The plans were basically structured at the unit level. There might have been a unit that had gotten feedback or some engagement, but there was no formal process set up for acceptance of the plans.¹⁸⁷

Again, the available evidence refutes Dr. Washington's claim.¹⁸⁸ For example, Dean Randall testified that "inclusive excellence plans had to be approved" by the DEI Office after a series of meetings discussing the plans and ways in which they could be improved or augmented.¹⁸⁹

Indeed, documents obtained by the Committee indicate a formal approval and enforcement apparatus led by Vice President for Diversity, Equity, and Inclusion Sharnnia Artis.¹⁹⁰ Dr. Artis's performance self-assessment, which Dr. Washington reviewed, rated, and commented on, highlighted the need to continue implementing Dr. Washington's ARIE initiative by "recruiting faculty and staff that reflect the diverse population of the student body."¹⁹¹ Dr. Artis also explained that the DEI Office "consistently reviewed, monitored, and supported unit IEPs, ensuring that they are aligned with the university's overarching goals for inclusive excellence."¹⁹² Further, Dr. Artis noted a desire to "reward [academic] units who successfully implement their IEPs."¹⁹³ Notably, because Dr. Artis reported directly to Dr. Washington, he directly reviewed this performance self-assessment, rated the self-assessment, and even left comments on it.¹⁹⁴ This documentary evidence shows that Dr. Washington likely intended to mislead the Committee with his false testimony.

¹⁸⁷ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.) (emphasis added).

¹⁸⁸ See, e.g., Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 4–5, Ex. 15; Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

¹⁸⁹ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

¹⁹⁰ See 2023-2024 AP Faculty (President's Direct Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion (May 9, 2024), Ex. 16.

¹⁹¹ *Id.* at 6–7.

¹⁹² *Id.* at 7.

¹⁹³ *Id.* at 7–8.

¹⁹⁴ 2023-2024 AP Faculty (President's Direct Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion (May 9, 2024), Ex. 16.

GOALS, OBJECTIVES, & RESULTS: Provide the status and results of previously agreed-upon performance goals and objectives. Identify measurable outcomes that document progress made and/or goal/objective achievement. Communicate challenges which impacted successful completion of goal(s) and/or objectives, and any adjustments or realignments that were made during the evaluation year. If goals and/or objectives were not previously assigned or discussed, please describe work efforts/projects with measurable outcomes.

Reviewer	Rating
Sharnnia Artis (Self)	
Gregory Washington (Manager)	

Comments

Sharnnia Artis (Self) :

Goal #1: Continue implementation of the recommendations from the university's ARIE Initiative by end of FY 24, June 30, 2024

- Continue to implement, measure, and monitor the outcomes of the ARIE Initiative and focus on completing recommendations for building infrastructure to support progress and accountability and recruit and retain faculty to reflect our student population by June 30, 2024. The governance structure (Accountability Team, Implementation Leadership Team, Implementation Working Group, and ARIE Ambassadors) established to lead and support the ARIE Initiative brings together more than 50 faculty, staff, students, and administrators to continue to implement, measure, and monitor the outcomes of the ARIE Initiative. Fourteen of the fifteen recommendations have been accomplished. The one recommendation that is still a work in progress is recruiting and retaining faculty and staff that reflect the diverse population of our student body. Select accomplishments from the ARIE Initiative include: **Inclusive Teaching Grants** – 2 categories of grants were awarded:

Goal #2: Establish a process to evaluate Inclusive Excellence Plans (IEPs) and reward those units who are successfully implementing their plans by May 1, 2024

- **Utilize IEP Steering Committee to review, monitor, and support unit IEPs (ongoing).** Under my leadership, my team has made significant progress towards establishing a robust process to evaluate and acknowledge units for successfully Inclusive Excellence Plans (IEPs). Utilizing the IEP Steering Committee, we have consistently reviewed, monitored, and supported unit IEPs, ensuring that they are aligned with the university's overarching goals for inclusive excellence. This ongoing process has facilitated collaboration and accountability across units. In collaboration with the Office for Institutional Effectiveness and Planning (OIEP), my team is in the process of using Nuventive, Mason's platform for annual assessment planning and reporting, to collect IEP goals and metrics to assess progress.
- **Establish plan to reward units who successfully implement their IEPs by May 1, 2024.** At this time, funding is limited, so

*Vice President for DEI Sharnnia Artis outlined the process for reviewing racial discrimination plans in a document reviewed by Dr. Washington.*¹⁹⁵

The hiring data referenced above, which shows that the percentage of minority faculty increased at schools with racial discrimination plans referencing racial quotas or racial demographic balancing, also makes it hard to believe that racial discrimination plans were not monitored and implemented.¹⁹⁶

¹⁹⁵ 2023-2024 AP Faculty (President's Direct Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion (May 9, 2024), at 6–7, Ex. 16 (emphasis added).

¹⁹⁶ See George Mason Univ., *Affirmative Action Program for Minorities & Women Arlington, VA*, at 32–51 (July 1, 2020) (excerpt), Ex. 6; George Mason Univ., *Affirmative Action Program for Minorities & Women Fairfax, VA*, at 199–365 (July 1, 2020) (excerpt), Ex. 7; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William, VA*, at 29–43 (July 1, 2020) (excerpt), Ex. 8; George Mason Univ., *Affirmative Action Program for Minorities & Women Mason Square*, at 78–79 (July 1, 2024) (excerpt), Ex. 9; George Mason Univ., *Affirmative*

Dr. Washington’s claim that racial discrimination plans were never reviewed is also contradicted by a whistleblower, a senior GMU official. The official noted that in 2021, the university provost—Dr. Washington’s second-in-command—organized and led a “summer retreat” to compare and improve schools’ racial discrimination plans, and the DEI Office continued to communicate with school leadership about their racial discrimination plans for more than two years thereafter.¹⁹⁷ These interactions included “training for unit leaders, on ‘inclusive hiring and recruitment’” and meetings during which the DEI Office provided specific feedback on the execution of schools’ racial discrimination plans.¹⁹⁸

In April 2021 the provost announced to academic units that there would be a summer retreat among unit leaders and the provost to compare IE plans (IEPs) and to find “common elements”. The all-day retreat was on June 8, 2021. The ARIE committee co-chair of training and development (Christopher Carr) provided an executive summary of the various unit IE plans and pledged that he would review each of the plans with the deans.

The provost¹⁹⁹ organized a “summer retreat” for schools to improve their racial discrimination plans.²⁰⁰

In fact, Dr. Washington did more than approve and monitor schools’ racial discrimination plans—he retaliated against those who were not discriminating enough. A senior GMU official told the Committee that in 2021, Dr. Washington rescinded six percent of each school’s budget “with the provision that money would be reallocated back to units [GMU schools] that developed IE [racial discrimination] plans that were aligned with university goals that he directed.”²⁰¹ His demands included “specific and measurable goals/metrics for achieving increased faculty and staff diversity.”²⁰²

Action Program for Minorities & Women Fairfax Campus, at 568–77 (July 1, 2024) (excerpt), Ex. 10; George Mason Univ., *Affirmative Action Program for Minorities & Women Prince William Campus*, at 64–65 (July 1, 2024) (excerpt), Ex. 11.

¹⁹⁷ Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 3–5, Ex. 15.

¹⁹⁸ *Id.*

¹⁹⁹ The Provost at this time was Mark Ginsberg. *Mason President Gregory Washington extends Provost Mark R. Ginsberg’s term through June 2025*, GEORGE MASON UNIV. (Nov. 30, 2021), <https://provost.gmu.edu/news/2021-11/mason-president-gregory-washington-extends-provost-mark-r-ginsbergs-term-through-june>.

²⁰⁰ Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 3–5, Ex. 15.

(emphasis added).

²⁰¹ *Id.* at 1–2.

²⁰² *Id.* at 1.

In early 2021 there were high-level discussions with the president of how academic units could incorporate anti-racism principles in their curricula and also in tenure & promotion processes. The president reported that these procedures were to be codified by fall semester 2023. Among other actions he proposed: an Anti-Racism Inclusive Excellent (ARIE) foundations course; a pilot program to conduct course audits and curriculum revisions aligned with ARIE principles; and that these were to be done mostly through an incentive model to implement various features of the plan. The incentive model was built off the president clawing back 6% of academic unit operating funds with the provision that money would be reallocated back to units that developed IE plans that were aligned with university goals that he directed. This was an entirely top-down driven process.

*A senior GMU official described Dr. Washington's plan to retaliate against schools that failed to adopt discrimination plans aligned with Dr. Washington's initiative.*²⁰³

In response to questions about these budget cuts, GMU's Budget Office noted that "all of the inclusive excellence programming was being coordinated by the President's Office" and the DEI Office, which was under his purview.²⁰⁴

Academic unit communications to the university budget office about restoration of funds that had been removed from units were responded with the instruction that all of the inclusive excellence programming was being coordinated by the President's Office and the Office of Compliance, Diversity & Ethics and urged unit officials to reach out directly to the president's chief of staff Ken Walsh, the provost Mark Ginsberg, and the OD&E director Dietra Trent.

*GMU's Budget Office clearly stated that Dr. Washington and the DEI Office led the racial discrimination initiative.*²⁰⁵

Dr. Washington especially singled out the Scalia Law School for retaliation. Dean Randall testified that he refused to acquiesce to Dr. Washington's racial hiring demands because doing so would have required him to illegally discriminate on the basis of race.²⁰⁶ Dean Randall also declined to set specific numerical hiring targets out of concern that they could constitute an illegal racial quota.²⁰⁷ He explained:

- Q. Some earlier responses, especially when sharing that it was your impression that, under the excellence plans, that really the end goal was numbers, and because the end goal was numbers, it made you very uncomfortable. Could you say a bit more about why, as a law school dean, the numbers aspect made you uncomfortable?
- A. Well, normally, I love numbers because I'm a numbers person. Here **I thought that, you know, we were, you**

²⁰³ Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 1, Ex. 15 (emphasis added).

²⁰⁴ *Id.* at 3.

²⁰⁵ *Id.* (emphasis added).

²⁰⁶ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

²⁰⁷ *Id.*

know, possibly doing something that was illegitimate, illicit, counting numbers, and to achieve the kind of numbers that the university wanted would've had us clearly discriminate against people who are not in the classes that, you know, were getting favorable treatment.²⁰⁸

Shortly thereafter, Dr. Washington appeared to deliberately sabotage a regular accreditation inspection of Scalia Law School by the American Bar Association (ABA). The ABA's report, produced after its inspection of Scalia Law School, noted concerns about the school's finances, citing a recent two-percent budget recission by GMU and a private comment by Dr. Washington to the ABA expressing "concern that the law school is 'highly subsidized' and would need to eventually find a more 'independent' budget model."²⁰⁹ Dr. Washington failed to mention that Scalia Law School was on track to meet the five-year budget plan that Dean Randall had implemented at the start of his tenure, choosing instead to undermine the law school to its accreditors.²¹⁰ Dean Randall testified that the ABA told him that Dr. Washington's remarks were the primary basis for the ABA's financial concerns.²¹¹ He stated:

- Q. Can – can you go back to the beginning and discuss how your relationship started and – and the various things that led to the souring of the relationship?
- A. . . . In 2022, the law school had an ABA inspection We then get a fact-finding report, what's called an action letter, from the ABA, and the ABA said that they didn't think that the institution had demonstrated financial soundness So I called the ABA because I had done a lot of ABA inspections and said, "I'm – I'm kind of shocked by this one; will you explain it?" And they said that it had to do with the exit interview that they had had with the president [Dr. Washington] and that, at the exit interview, **the president volunteered that he didn't know whether the university was going to be able to support the law school in the same manner that it had previously supported the law school.**²¹²

In response, the ABA opened an investigation into Scalia Law School's accreditation and placed it on probation.²¹³

²⁰⁸ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

²⁰⁹ See Inspection Report on George Mason University Antonin Scalia Law School, Am. Bar Ass'n (Feb. 14, 2023) (excerpt), Ex. 17.

²¹⁰ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

²¹¹ See *id.*

²¹² *Id.* (emphasis added).

²¹³ *Id.*

Following this event, Dr. Washington and Dean Randall's relationship continued to decline. During the ABA's investigation, Dr. Washington threatened again to cut funding for all GMU schools to address a budget shortfall.²¹⁴ Dean Randall asked that he spare Scalia Law School, as funding cuts during the ABA investigation into the school's financial stability could threaten the law school's accreditation.²¹⁵ Dr. Washington did not take kindly to this request. In May 2023, during a meeting on the ABA's investigation between Dr. Washington, Dean Randall, and other GMU officials, Dr. Washington "humiliated" Dean Randall, telling Dean Randall, among other insults, that he did not know what he was talking about—despite Dean Randall's previous experience as an ABA inspector.²¹⁶ Dean Randall recounted:

- A. So I met with the president and the provost, and there were a few other people in the room. **And the president just started yelling at me and telling me that** the ABA would never put us on probation and that **I basically didn't know what I was doing and that he knew what he was doing on money because he was on corporate boards**, and he once knew Erwin Chemerinsky, the dean of Berkeley, and he was going to call Dean Chemerinsky to ask him what he thought, and that – **I mean, pretty much humiliated me with a group of five or six people in the room.** I actually – if I have an expertise, it's, I think, on the finance; probably what I'm best at. But the president basically told me that, you know, we couldn't do this. What I really tried to say to him was, you know, "We always hope we're not cut, but I think if you cut us now, you're going to really hurt us with the ABA." And **he got really angry with me.** And that was the origin when the relationship started going downhill.²¹⁷

Since then, Dr. Washington has barely interacted or communicated with Dean Randall.²¹⁸

Later in 2024, Dr. Washington's animus towards the law school reared its head again, when he attempted to intervene to stop the lateral hiring of a "superstar" professor from a top law school.²¹⁹ While Dr. Washington approved three concurrent lateral hires who were racial minorities, female, or foreign-born without issue, Dr. Washington slow rolled the hiring of the fourth, a "conservative" Caucasian male who had "the best credentials" of the group.²²⁰ Dean Randall testified that he suspected that this was because of Washington's animus towards Scalia

²¹⁴ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

²¹⁵ *Id.*

²¹⁶ *Id.*

²¹⁷ *Id.* (emphasis added).

²¹⁸ *Id.*

²¹⁹ *Id.*

²²⁰ *Id.*

Law School and his dislike of hiring faculty who were members of racial majority groups.²²¹ In fact, the candidate received a job offer only after GMU’s Board of Visitors intervened.²²²

* * *

Trying to distance himself from GMU’s racial discrimination, Dr. Washington stacked one false claim on top of another. He claimed that schools were not actually required to create racial discrimination plans, that the plans were never approved by the university, and that he could not punish schools who did not implement them.²²³ All three are materially and demonstrably false. ARIE planning documents stated that racial discrimination plans “must” address topics including faculty hiring, and senior GMU officials understood the plans to be mandatory.²²⁴ These plans were reviewed by Dr. Washington’s top lieutenants, and Dr. Washington stripped funding from schools whose plans did not comply with his racial discrimination edicts.²²⁵ Dr. Washington even personally retaliated against the law school—GMU’s highest-ranked academic unit—for failing to racially discriminate in faculty hiring.²²⁶ Ultimately, a senior GMU official put it best: “any claim that academic units acted on their own in devising Inclusive Excellence (IE) plans, without active engagement and oversight by university central administration is false.”²²⁷ Dr. Washington’s testimony, for these reasons, appears to be materially false in violation of 18 U.S.C. § 1001.

Any claim that academic units acted on their own in devising Inclusive Excellence (IE) plans, without active engagement and oversight by university central administration is false. This was a process managed by central administration under the president’s direction and active involvement. The president removed a significant amount of unit operating funds and made the reallocation of funds back to the units contingent on their developing Inclusive Excellence Plans (IEPs). That created intensified pressure on units to move according to a mandated deadline to submit an approved plan.

*A senior GMU official emphasized that Dr. Washington and his top staffers conceived, executed, and monitored the ARIE initiative.*²²⁸

B. Dr. Washington’s focus on “diversity” is exclusively about race, as evidenced by his offensive and incendiary comments.

Dr. Washington claimed that when he used the word “diversity,” he meant more than just racial diversity, and that George Mason views “diversity” as a broad concept incorporating

²²¹ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

²²² *Id.*

²²³ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

²²⁴ George Mason University Inclusive Excellence Plan Template (Revised), Ex. 19.

²²⁵ *See, e.g.*, Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 1–2, Ex. 15.

²²⁶ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

²²⁷ Statement of Confidential Senior George Mason University Official to H. Comm. on the Judiciary, at 1, Ex. 15.

²²⁸ *Id.* (emphasis added).

diversity of thought and experience.²²⁹ However, the nonpublic documents and testimony obtained by the Committee do not support Dr. Washington's claims. Dr. Washington's ARIE Task Force referenced racial diversity almost exclusively, while senior GMU officials and students emphasized that Dr. Washington is singularly focused on GMU's racial makeup.²³⁰

Racial discrimination plans developed at Dr. Washington's order mentioned only racial diversity. For example, the School of Engineering plan exclusively mentioned hiring underrepresented minorities as a benchmark for achieving a faculty that better represents student diversity.²³¹ Similarly, the Carter School plan specifically identified race when explaining its plan to increase faculty diversity.²³² There was no mention in these documents of finding faculty with diverse viewpoints or experiences.²³³

Nonpublic documents also show GMU students perceived Dr. Washington's ARIE initiative as focusing on race.²³⁴ In a 2024 focus group conducted as part of the College of Public Health's²³⁵ accreditation process, students, when discussing racial discrimination plans, recommended "expanding the meaning of diversity beyond race" to include other characteristics.²³⁶

²²⁹ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

²³⁰ See, e.g., Volgenau School of Engineering Inclusive Excellence Plan (Apr. 1, 2021), Ex. 3; *Review for Accreditation of the College of Public Health at George Mason University (Draft Report)*, Council on Educ. for Pub. Health (June 11, 2025) (excerpt) at 80, Ex. 20.

²³¹ Volgenau School of Engineering Inclusive Excellence Plan, 18 (Apr. 1, 2021), Ex. 3.

²³² Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan, at 14, Ex. 12.

²³³ See Volgenau School of Engineering Inclusive Excellence Plan (Apr. 1, 2021), Ex. 3; Jimmy and Rosalynn Carter School for Peace and Conflict Resolution Inclusive Excellence Plan, Ex. 12.

²³⁴ *Review for Accreditation of the College of Public Health at George Mason University (Draft Report)*, Council on Educ. for Pub. Health (June 11, 2025) (excerpt) at 80, Ex. 20.

²³⁵ The College of Public Health is the new name for the College of Health and Human Services. See *George Mason University Launches Virginia's First College of Public Health*, GEORGE MASON UNIV. (Nov. 1, 2022), <https://www.gmu.edu/news/2022-10/george-mason-university-launches-virginias-first-college-public-health>

²³⁶ *Review for Accreditation of the College of Public Health at George Mason University (Draft Report)*, Council on Educ. for Pub. Health (June 11, 2025) (excerpt) at 80, Ex. 20.

Student focus group participants also agreed that the college should prioritize and dedicate resources for implementing the inclusive excellence plan. They recommend enhancing the plan initiatives by clearly communicating what the college is striving to achieve; expanding the meaning of diversity beyond race to other groups based on gender, ability status, and other characteristics, and continuing to invite speakers and guest lecturers from diverse backgrounds to enrich student knowledge of different communities.

*Students in the College of Public Health noted that GMU's concept of diversity is strictly racial.*²³⁷

Further, many of Dr. Washington's own contemporaneous statements discussing his ARIE agenda reference only racial diversity. For example, in his ARIE Task Force announcement, Dr. Washington framed the Task Force as "action to address racial inequities."²³⁸ The Task Force announcement references race over ten times, with no references to viewpoint diversity or diversity of experience.²³⁹

Dr. Washington also has a history of making incendiary racial comments about hiring and promotion decisions, further evidence of his singular focus on race. These include public comments, like an April 15, 2021, message to the GMU community in which Dr. Washington stated:

"If you have two candidates who are both 'above the bar' in terms of requirements for a position, but one adds to your diversity and the other does not, then why couldn't that candidate be better, even if that candidate may not have better credentials than the other candidate?"²⁴⁰

Dr. Washington was more direct in private. For example, Dean Randall testified that in a 2022 phone call, Dr. Washington said that the law school should pay racial minorities more than other professors.²⁴¹ Dean Randall recounted:

²³⁷ *Review for Accreditation of the College of Public Health at George Mason University (Draft Report)*, Council on Educ. for Pub. Health (June 11, 2025) (excerpt) at 80, Ex. 20 (emphasis added).

²³⁸ Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence>.

²³⁹ *Id.*

²⁴⁰ Gregory Washington, *Adopting an Inclusive Excellence Framework for Hiring Will Deliver Best Candidates*, GEORGE MASON UNIV. (Apr. 15, 2021), <https://www.gmu.edu/news/2021-05/adopting-inclusive-excellence-framework-hiring-will-deliver-best-candidates>.

²⁴¹ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.).

Q. Page 4. Faculty salary equity states, ‘We will complete and act upon a faculty salary equity review and work with the schools and colleges towards correcting any issues over a 3-year period.’ Did you see any of these efforts come to fruition as dean?

A. So this won’t be a simple answer. . . . Now, I do want to be sure, I will say, I mean, **President Washington, when he was speaking to me, did have a one-on-one once where he told me that he felt we should pay minority faculty candidates more than majority faculty candidates** because there was a greater market demand for minority faculty candidates than majority.²⁴²

Dean Randall also testified that he heard Dr. Washington tell deans that there should be different standards for promotion based on ethnic status in an apparent attempt to influence school-level hiring, promotion and tenure policies.²⁴³ Dean Randall stated:

A. I mean, we had a statement from the president – or we’ve heard him stated – I think it was in group status – you know, **I’ve heard him say that there ought to be different standards for promotion and tenure depending on ethnic status.** I heard him say that. I think that was to a group.²⁴⁴

In one case, Dr. Washington allegedly circumvented established hiring processes entirely to ensure a candidate of his preferred race received the job.²⁴⁵ During GMU’s search for a new vice president for research, a position that oversees research, innovation, and economic development initiatives,²⁴⁶ Dr. Washington pressured a hiring committee to hire an African-American candidate who was not initially on the committee shortlist, saying “oh come on, just give the brother a chance.”²⁴⁷ Dean Randall testified:

Q. Did you ever hear Dr. Washington express preference for a specific candidate to be hired?

* * *

²⁴² Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

²⁴³ *Id.*

²⁴⁴ *Id.*

²⁴⁵ *Id.*

²⁴⁶ *Andre Marshall, PhD*, OFFICE OF THE PROVOST GEORGE MASON UNIVERSITY, <https://provost.gmu.edu/profiles/awmarsh> (last visited Oct. 27, 2025); Colleen Kearney Rich, *A Conversation with Andre Marshall*, MASON SQUARE GEORGE MASON UNIVERSITY (July 1, 2021), <https://masonsquare.gmu.edu/news/2021-06/conversation-andre-marshall>.

²⁴⁷ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

A [. . .] [H]is vice president for research – institutional research was – the one who does Federal grants – that **he wanted a candidate who did not make it to the short list, and that the comment that gets attributed to the president is he said just – ‘Oh, come on. Just give the brother a chance.’** And then ultimately this person was hired as the VP [vice president].²⁴⁸

One member of the search committee responsible for finding a candidate for this position, Dr. Naoru Koizumi, a professor and associate dean of research for GMU’s Policy and Government School, confirmed that the African American candidate who Dr. Washington selected for the position was initially not on the search committee’s interview list before the search committee was “encouraged” to further consider an underrepresented minority.²⁴⁹

A focus on diversity permeated every stage of the vice president for research search process. Before the search committee even started reviewing applications, GMU’s then-Provost Mark Ginsberg drafted an email to search committee members stating the committee should “conduct a careful review of the candidate pool and recommend to [the Provost] a diverse list of individuals . . . the [c]ommittee recommends inviting to campus for an interview. . . .”²⁵⁰ This list would then inform a final unranked candidate list that both Provost Ginsberg and Dr. Washington considered.²⁵¹ GMU search committee members sign confidentiality agreements, but the Committee issued a subpoena to obtain the relevant testimony.²⁵² Dr. Koizumi explained that there were initially 60 candidates for the position, of which 40 were qualified.²⁵³ The search committee ranked the 40 qualified candidates and aimed to invite about 14 or 15 of the top 20 candidates for interviews.²⁵⁴ The top-ranked candidate on the initial interview list was Middle Eastern.²⁵⁵ The list, according to Dr. Koizumi, also included a South Asian candidate.²⁵⁶ Despite this racial diversity, the list apparently was not sufficiently diverse under Dr. Washington’s ARIE initiative; the search committee was “encouraged” to make its interview list more diverse.²⁵⁷ Dr. Koizumi explained how at GMU under Dr. Washington, South Asian and Southeast Asian candidates do not count toward applicant diversity because even though they are minorities, they are not considered underrepresented minorities; and Middle Eastern candidates are considered Caucasian and thus not minorities, let alone underrepresented minorities.²⁵⁸ In

²⁴⁸ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

²⁴⁹ Deposition of Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government, H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

²⁵⁰ E-mail from Mark Ginsberg, Provost, George Mason University to Search Committee Members (draft), Ex. 21.

²⁵¹ See *id.*; Deposition of Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government, H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

²⁵² Letter from Rep. Jim Jordan, Chairman, H. Comm. On the Judiciary, to Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government (Oct. 15, 2025) (attaching subpoena) (on file with the Comm.).

²⁵³ Deposition of Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

²⁵⁴ *Id.*

²⁵⁵ *Id.*

²⁵⁶ *Id.*

²⁵⁷ *Id.*

²⁵⁸ *Id.*

contrast, Hispanics and African Americans are considered underrepresented minorities and receive racial preference in hiring in a manner that appears to be illegal and unconstitutional.²⁵⁹

After being encouraged to make the interview list more diverse, the search committee was guided to an African American candidate, Dr. Andre Marshall, who was ranked in the bottom half of the qualified candidates that the search committee was not going to interview.²⁶⁰ As a result of this encouragement, Dr. Marshall was added to the interview list.²⁶¹

Following interviews, the search committee was tasked with narrowing the list to a final list of only five candidates.²⁶² Dr. Koizumi explained how, like the interview list, the finalist list was also expected to be sufficiently diverse.²⁶³ Thus, Dr. Marshall made it onto the finalist list developed by the search committee.²⁶⁴ Moreover, per a policy change implemented when Dr. Washington became president, the finalist list presented to Dr. Washington for hire was to be unranked.²⁶⁵ Consequently, although the list of finalists also included the search committee's top-ranked candidate, the search committee could not rank the candidates on the finalist list.²⁶⁶ Therefore, the search committee was not permitted to say the Middle Eastern candidate was the top-ranked candidate.²⁶⁷

Ultimately, Dr. Washington chose Dr. Marshall for the position, a candidate who was not ranked high enough to even initially be considered by the search committee for an interview.²⁶⁸

When describing the search committee's process for the vice president position, Dr. Koizumi explained the focus on diversity was due to Dr. Washington bringing about a culture shift at GMU that emphasized "DEI" policies.²⁶⁹ As illustrated by the vice president for research candidate selection though, Dr. Washington's preference for racial and ethnic diversity did not extend to all minority candidates.²⁷⁰

Dr. Washington's preference for only certain minorities is also evidenced by comments he made to colleagues. Dr. Washington once complained to another dean that there were "too many Asians" in the hiring pool for a top position at his school.²⁷¹ Dean Randall recalled:

Q. This is, would you characterize as typical of Dr. Washington when discussing diversity to focus in on ethnic diversity?

²⁵⁹ *Id.*

²⁶⁰ Deposition of Dr. Naoru Koizumi, Associate Dean of Research, Schar School of Policy and Government, H. Comm. on the Judiciary (Oct. 20, 2025) (on file with the Comm.).

²⁶¹ *Id.*

²⁶² *See id.*

²⁶³ *Id.*

²⁶⁴ *See id.*

²⁶⁵ *Id.*

²⁶⁶ *Id.*

²⁶⁷ *See id.*

²⁶⁸ *Id.*

²⁶⁹ *Id.*

²⁷⁰ *See id.*

²⁷¹ Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

- A. . . . [A]nother dean told me where the president talked to him about his search and said there were too – **too many Asian – Asians in the pool for a position.** You know, he didn’t think there was enough diversity, and the dean pointed out number of Asian Americans and that the president said that there were, quote, too many²⁷²

Instead, Dr. Washington’s singular focus on race is best described by former Provost Mark Ginsberg—his top deputy—who told Dean Randall that “when Greg talks about diversity, he means Black.”²⁷³ Dean Randall explained:

- Q. Did Dr. Ginsberg ever discuss DEI a lot?
- A. Yeah, he did. I don’t think he talked about it as much as Dr. Washington did, but he would, you know, talk about it.
- Q. And, to the extent you know, did his comments mirror Dr. Washington’s?
- A. He seemed to accept what Dr. Washington said . . . he did say to me once, referring to President Washington by name, **“You know, when Greg talks about diversity, he means Black,”** is what Ginsb[e]rg said to me.²⁷⁴

Contrary to Dr. Washington’s contention to the Committee during his September 2025 transcribed interview, his statements do not show his meaning of “diversity” includes geographic diversity or diversity of thought. Instead, they emphasize racial diversity. Taken together, the evidence obtained by the Committee discredits each of Dr. Washington’s attempts to defend the legality of his racial discrimination initiative.

C. Dr. Washington’s claim that Virginia state law required racial discrimination plans is unpersuasive.

Dr. Washington also claimed that the ARIE initiative was implemented to comply with Virginia state law.²⁷⁵ This contention is unpersuasive—and irrelevant.

Dr. Washington claimed that the racial discrimination plans were developed to provide feedback and information for GMU to use in its yearly, state-required, diversity, equity, and inclusion plan.²⁷⁶ However, this Virginia requirement, known as the ONE Virginia Plan, was

²⁷² Transcribed Interview of Ken Randall, Dean, Antonin Scalia Law School, H. Comm. on the Judiciary (Oct. 1, 2025) (on file with the Comm.) (emphasis added).

²⁷³ *Id.*

²⁷⁴ *Id.*

²⁷⁵ Transcribed Interview of Dr. Gregory Washington, President, George Mason University, H. Comm. on the Judiciary (Sept. 3, 2025) (on file with the Comm.).

²⁷⁶ *Id.*

announced in February 2021, seven months *after* the ARIE initiative announcement.²⁷⁷ The ONE Virginia Plan was not even a Virginia requirement when Dr. Washington instituted racial discrimination plans.²⁷⁸ Further, nothing in Virginia state law requires—or permits—the use of racial hiring quotas or faculty-student racial balancing.²⁷⁹ Finally, even if the ONE Virginia Plan was in effect and required GMU to implement racial hiring quotas or racial demographic balancing, GMU’s racial discrimination plans would still be unlawful because state law does not supersede conflicting federal law or the U.S. Constitution.²⁸⁰

IV. CONCLUSION

The information available to the Committee paints a clear picture. Shortly after assuming the GMU presidency, Dr. Washington developed the ARIE initiative, the centerpiece of which was a new task force developed to remove so-called “racist vestiges” from GMU and to implement anti-racism principles.²⁸¹ Dr. Washington’s task force directed GMU schools to engineer the racial and ethnic composition of their faculties to match that of the student body.²⁸² To achieve Dr. Washington’s ARIE goals, at least three schools created precise racial hiring quotas while at least three other schools tried to balance faculty and student racial demographics.²⁸³ This conduct, which sought to give preference to minority faculty candidates over majority and Asian faculty candidates solely because of their race, amounted to unlawful racial discrimination likely violating Titles VI and VII of the Civil Rights Act.²⁸⁴ This conduct was not incidental—it was the ARIE initiative’s goal. And it falls squarely at the feet of Dr. Washington, who now refuses to take responsibility for his initiative.²⁸⁵

The Committee on the Judiciary has jurisdiction over federal civil liberties and civil rights. As the Committee conducts oversight of the sufficiency of existing law to protect fundamental rights for all Americans, the Committee will continue to examine the use of illegal

²⁷⁷ See Hannah Eason, *Northam Introduces First-Ever Statewide Plan for Advancing Diversity, Inclusion*, WWBT 12 ON YOUR SIDE (updated Feb. 27, 2021), <https://www.12onyourside.com/2021/02/28/northam-introduces-first-ever-statewide-plan-advancing-diversity-inclusion/> (emphasis added).

²⁷⁸ See Inclusive Excellence Plan Academic Unit Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 7, Ex. 1 (“The One Virginia Plan is no longer required by the Commonwealth of Virginia.”); Inclusive Excellence Plan Administrative Office Toolkit, George Mason Univ. Off. for Diversity, Equity, and Inclusion, at 7, Ex. 2 (“The One Virginia Plan is no longer required by the Commonwealth of Virginia.”).

²⁷⁹ See *ONE Virginia Plan*, VIRGINIA EDUC. ASS’N (2021-2025), <https://www.veanea.org/wp-content/uploads/2022/04/ONEVirginiaPlan-HigherEd-OnlineDoc-031921.pdf>.

²⁸⁰ See U.S. CONST. art. VI, cl. 2; *Fla. Lime & Avocado Growers, Inc. v. Paul*, 373 U.S. 132, 142–43 (1963) (“[F]ederal exclusion of state law is inescapable. . . where compliance with both federal and state regulations is a physical impossibility. . . .”); *Gibbons v. Ogden*, 22 U.S. 1, 210–11 (1824) (“[T]he Act of Congress. . . is supreme; and the law of State, though enacted in the exercise of powers not controverted, must yield to it.”); *McCulloch v. Maryland*, 17 U.S. 316, 406 (1819) (“The Government of the United States, then, though limited in its powers, is supreme, and its laws, when made in pursuance of the Constitution, form the supreme law of the land, ‘anything in the Constitution or laws of any State to the contrary notwithstanding.’”).

²⁸¹ Gregory Washington, *President Washington Announces Task Force on Anti-Racism and Inclusive Excellence*, GEORGE MASON UNIV. (July 23, 2020), <https://president.gmu.edu/news/2020-07/president-washington-announces-task-force-anti-racism-and-inclusive-excellence>.

²⁸² See *infra*, Sec. I.

²⁸³ See *infra*, Sec. II.

²⁸⁴ See 42 U.S.C. §§ 2000d *et seq.*; 42 U.S.C. §§ 2000e *et seq.*

²⁸⁵ See *infra*, Sec. III.

racial discrimination and DEI practices. So-called anti-racism initiatives—like the one created and directed at GMU by Dr. Washington—violate the spirit and letter of civil rights law. These initiatives turn back the clock to a reprehensible time when one’s opportunities were determined not by the content of one’s character or abilities, but by race and ethnicity. These are not the principles on which our country or our Constitution rest.

APPENDIX

Appendix Table of Contents

Exhibit 1: Inclusive Excellence Plan Academic Toolkit.....	50
Exhibit 2: Inclusive Excellence Plan Administrative Office Toolkit.....	65
Exhibit 3: Volgenau School of Engineering Inclusive Excellence Plan	80
Exhibit 4: Schar School of Policy and Government Inclusive Excellence Plan.....	129
Exhibit 5: College of Science Inclusive Excellence Plan.....	151
Exhibit 6: Affirmative Action Program for Minorities & Women (2020-2021)– Arlington, VA (excerpt).....	241
Exhibit 7: Affirmative Action Program for Minorities & Women (2020-2021)– Fairfax, VA (excerpt).....	262
Exhibit 8: Affirmative Action Program for Minorities & Women (2020-2021)– Prince William, VA (excerpt).....	430
Exhibit 9: Affirmative Action Program for Minorities & Women (2024-2025)– Mason Square (excerpt).....	446
Exhibit 10: Affirmative Action Program for Minorities & Women (2024-2025)– Fairfax Campus (excerpt).....	449
Exhibit 11: Affirmative Action Program for Minorities & Women (2024-2025)– Princ William Campus (excerpt)	460
Exhibit 12: Jimmy and Rosalynn Carter School for Peace and conflict Resolution Inclusive Excellence Plan	463
Exhibit 13: College of Visual and Performing Arts Inclusive Excellence Plan	520
Exhibit 14: College of Health and Human Services Inclusive Excellence Plan	545
Exhibit 15: Statement of Confidential Senior GMU Official.....	567
Exhibit 16: 2023–2024 AP Faculty (President’s Director Reports, Supervisory) Performance Evaluation of VP Diversity Equity Inclusion	573
Exhibit 17: American Bar Association Inspection Report on George Mason University (excerpt)	591

Exhibit 18: George Mason University Board of Visitors President’s Planning Conference Meeting Minutes	599
Exhibit 19: George Mason University Inclusive Excellence Template (Revised).....	610
Exhibit 20: Review for Accreditation of the College of Public Health at George Mason University (excerpt).....	613
Exhibit 21: Draft Email to Search Committee.....	619