

Congress of the United States
House of Representatives
Washington, DC 20515

June 22, 2005

President George W. Bush
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

On March 17, 2005, the Department of Education revised its policy on Title IX issuing the "Additional Clarification of Intercollegiate Athletics Policy: Three-Part Test - Part Three," allowing schools to rely solely on the results of a single survey, which can be administered through e-mail, to gauge women's interest in athletics and demonstrate compliance with Title IX. We are concerned that this "Clarification" significantly weakens Title IX and threatens the 33-year old law's remarkable success in opening doors for women and girls across the country. We respectfully request that you immediately withdraw this Clarification.

We strongly believe that use of a survey alone, let alone an e-mail survey, cannot accurately determine student athletic interest or ability. By allowing schools to rely exclusively on a survey, the Clarification creates a major loophole and lowers the standard for Title IX compliance, jeopardizing the number of athletic opportunities available to women and girls in schools across the country. While the Department's previous policies allowed the use of surveys in determining compliance, schools also had to look at other factors, such as input from coaches and administrators and interest in the surrounding schools and community sports leagues, which together provide a more comprehensive and accurate reflection of student interest. Under the new Clarification, the Department will allow schools to simply interpret a lack of response to the survey as evidence of lack of interest.

This harmful change, issued without public notice or opportunity for public comment, appears to be the latest in a series of deliberate attempts by your Administration to weaken Title IX.

On June 27, 2002, former Secretary of Education Rod Paige announced the establishment of the Commission on Opportunity in Athletics to "examine ways of strengthening enforcement and expanding opportunities to ensure fairness for all college athletes." This Commission made a series of negative recommendations that would have threatened Title IX, and retreated after meeting significant public opposition.

For 33 years, Title IX has taken down the 'No Girls Allowed' signs from school playing fields, shop classes, and career counseling centers. Since it was enacted in 1972, young women's participation in athletics has increased 400 percent at the college level and 800 percent in high

schools. Athletic opportunities have not only helped women and girls excel physically and academically but have also helped them avoid risky behaviors such as drug use and teenage pregnancy and have increased their self-esteem and confidence. Female athletes have worked tirelessly over the years to gain respect and equality, and because of their efforts, generations of young women will have an equal opportunity to succeed.

We urge you to direct the Department of Education to withdraw this new Clarification. Our nation's women and girls deserve no less.

Thank you for your consideration.

Sincerely,

Nancy Pelosi

George Miller

Lynn C. Woolsey

Frank Rayburn

Robert M. Hannon

James E. Clyburn

Hilda L. Solis

Leri Casper

Laura M. Spayd

Rosa L. Swarner

Neta M. Lowley

Leucille Roybat-Alland

Lure Linn

Shel Bus

Arnold Nadler

Carolyn B. Maloney

Ann A. Geca

Charlot Rangel

Jim Oberstar

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Ken Cuccinelli

Tom Harkin

Ben Ray Lujan

Miguel R. Pena

Ann K. Adams

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U. S. Snyder

Sven Johnson

Mrs Van Hollar

Neil A. Wombie

Paul Hill

Eddie Bernice Johnson

Fretta Sanchez

Palmer Emanuel

Henry Cullen

Tom Odell

Raul M. Grijalva

Stephanie Hasek

J. M. Chitt

Johnnie Johnson

Jane Hasma

Tim Holden

Eri Jelamarga

John Longgo.

Bob Fulmer

Rubae Holey

Maurice Dingle

Bennie H. Johnson

Phil John L

Ruben Hinojosa

Tom Lantos

Judy Low.

Chuck Fattah

Bob Smith

Corine Braun

Sanford Bishop J

Caroleyn McCartney

Zoe Lofy

Mr G. Eshoo

Hyd Doggett

Robert Wexler

Rob O Brady

John Smith

Pete Stark

Mark Udall

Fred Strockland

John Lewis

Mark R. Jones

Carl E. Schiff

Hudd E. Full

Stephen. Lynch

Mike Row

Juli Carson

Al Cron

Dana Drake

Emuel Cron

James D. Napolitano

Carolyn C. Kefauver

Michael Whitcomb

Gregory Whitcomb

Tom Allen

Jane Schak

Barbara Lee

Wm. Lacy Clay

Liane E. Watson

Debbie Wasserman Schultz

Ed Cox

Rick Janson

Bob [unclear]

Bob Burnett

Maddeline Z. Verdallo

Jim [unclear]

Robin Aziz

Steve Israel

Albert R. [unclear]

Sueley Berkeley

Jeff [unclear]

Mike Thompson

John F. Timoney

Ann. [unclear]

Madeline A. Mc[unclear]

Edip E. Cummings

Steven [unclear]

Bill Pascrell Jr

Donald Payne

Lane Evans

Burt Smith

Howard S. Benson

Benny Frank

Alfred Hastings

Edward J. Murphy

Dale E. Childs

Paul H. Franz

Wesley Cook

Jose E. Llanos

Jim Moran

Gary L. Akerman

Carroll Sheel

John Bauer

Erin L. Enge

John B. Luman

Linden J. Sanchez

Jimmy Baldwin

Betty McCuller

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Tracy G.

Danny K. Davis

Allyn Y. Schatz

~~Bob Albert~~

Melvin L. Witt

John Spear

Eric Li