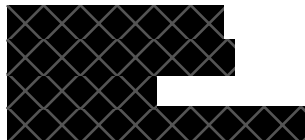


# United States Senate

WASHINGTON, DC 20510

September 22, 2022



Dear



More than a year has passed since the U.S. Supreme Court decided *National Collegiate Athletic Association v. Alston* and the NCAA revised its guidelines to allow student-athletes to receive compensation for the use of their name, image, and likeness (NIL). It is difficult to overstate the changes to college sports that we have since witnessed.

As you may know, last month our Senate offices solicited input and feedback from a broad range of interested stakeholders on priorities for potential federal NIL legislation. The response to our solicitation was robust, and we appreciate the respondents' thoughtful submissions. Notably, more than seventy percent of the commenters recommended that any future legislation address the issue of whether and how to regulate, control, or ban collectives.

Reflective of these comments, one respondent said: "collectives that are designed to compensate student-athletes in a thinly-veiled pay-for-play model damages the integrity of the collegiate athletic model, but more importantly eats away at the credibility and integrity of many fine institutions across the country...legislation should be put in place to restore the balance so an institution can protect its student athletes and fan base from schemes." Another respondent acknowledged the need to protect women's sports: "can requirements for collectives be implemented to ensure some equity in NIL deals to male and female athletes at an institution, similar to requirements of Title IX?" Several respondents recommend establishing a penalty structure for collectives that are involved in inducing student-athletes during the recruiting and transfer process, while others recommended a regulatory structure establishing when and how student-athletes may interact with third parties or collectives. Nearly all respondents recommended greater transparency in the process.

To that end, we now seek feedback from a representative sample of NIL collectives nationwide. In our August letter, we set forth our priorities for a legislative solution: to protect student-athletes, ensure fair competition and compensation, and preserve the time-honored traditions of college sports. We welcome your input as to how your organization advances these goals and how any potential legislation could provide a regulatory structure for your organization. Please share your comments in writing to [REDACTED] and [REDACTED] by October 3, 2022.

Sincerely,

Handwritten signature of Tommy Tuberville in blue ink.

Tommy Tuberville  
U.S. Senator

Handwritten signature of Joe Manchin III in blue ink.

Joe Manchin III  
U.S. Senator