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July 22, 2025

The Honorable Brett Guthrie, Chair
Energy and Commerce Committee

The Honorable Frank Pallone, Ranking Member
Energy and Commerce Committee

The Honorable Gus Bilirakis, Chair
Subcommittee on Commerce,
Manufacturing & Trade

The Honorable Jan Schakowsky, Ranking Member
Subcommittee on Commerce,
Manufacturing & Trade

Dear Chairmen Guthrie & Bilirakis and Ranking Members Pallone & Schakowsky:

The American Football Coaches Association, an association of 11,000 coaches, would like to thank you both and the Members of the Energy and Commerce Committee for working to address issues related to the regulation of agents in college sports.

Student-athletes rightfully deserve to be compensated for their name, image, and likeness (NIL). However, as compensation for young athletes has grown, coaches have seen an increase in unscrupulous and unregulated agents looking to exploit the NIL system and take advantage of student athletes. Without national regulation of agents and a standard clearinghouse, abuses will only continue to grow.

We thank you for strengthening the language in the ANS to H.R. 4312:

- The AFCA strongly supports the inclusion of player protection language in the ANS to H.R. 4312 that calls for an intercollegiate athletic association to establish of a process to register agents and create a national database of agents. Right now, there is nowhere for young athletes, parents, coaches or athletic directors to go to verify agent credentials or qualifications.
- We also strongly support the provisions calling for the limitations on compensation of agents to no more than a 5% commission on NIL agreements and a 5% commission on endorsements. These strong limits will help stop the financial exploitation of athletes and their families that is now rampant.

There are three agent-related provisions in the ANS to H.R. 4312 that need strengthening to protect student-athletes and their families:

1. The provision stating that “no entity other than an attorney general of a State may enforce” rules regarding agents will exacerbate the current problem. **(ANS to H.R. 4312 Page 20 Line 8– 10).** The existing patchwork of state regulations and enforcement has created a regulatory “race to the bottom” as states attempt to gain an advantage. The victims in this race are young student-athletes. There needs to be a national enforcement body empowered by Congress to enforce national rules regarding agents, perhaps an intercollegiate athletic association.
2. The provision allowing agents to circumvent the entire registration and certification process simply by allowing an 18-year-old athlete to state that they are aware of non-registrants undercuts the entire purpose of registration. **(ANS to H.R. 4312 Page 19, Lines 16 – 23)** This provision creates a loophole that will be exploited by unscrupulous agents.
3. Finally, another loophole is created by the provision allowing institutions to negotiate with unregistered agents **(ANS to H.R. 4312 Page 26, Lines 10 – 12).** All agents should be registered and certified.

Establishing clear agent standards and stronger protections for student-athletes is critically important.

The AFCA shares your commitment to safeguarding student-athletes and ensuring the integrity of college sports. We look forward to continuing to work with the Committee to advance meaningful solutions and represent the concerns of coaches and athletes alike.

Sincerely,

Coach Craig Bohl
Executive Director

The American Football Coaches Association

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