

Congress of the United States
Washington, DC 20515

July 6, 2021

Mr. Mark A. Emmert
President
National Collegiate Athletics Association
P.O. Box 6222
Indianapolis, IN 46206

Dear Mr. Emmert:

We write to seek documents and information regarding the disparate treatment of men's and women's sporting events by the National Collegiate Athletics Association (NCAA) and NCAA's ongoing review of gender equity across its championship programs. With the recent conclusion of 2021 championship events and the results of NCAA's gender equity review anticipated in the coming weeks, we ask that NCAA brief Members on this year's full tournament season and the steps you will take to address gender inequities in your programs.

On March 18, 2021, women's basketball players, coaches, and staff began sharing evidence on social media of NCAA's starkly unequal treatment of the men's and women's teams participating in its 2021 Division I basketball tournaments. Side-by-side images depicted the contrast between the equipment provided to women's athletes—consisting of a single rack of dumbbells—and the fully stocked workout complex provided to men's tournament teams.¹ Reports of other disparities, including in coronavirus safety protocols and in branding and promotion practices, have raised serious questions about how longstanding NCAA organizational decisions have perpetuated gender inequities in collegiate athletics.²

On March 25, 2021, 37 Members of Congress wrote you to share deep concerns about the gender disparities in this year's tournaments and remind NCAA of its responsibility to uphold the spirit of gender equity codified in Title IX of the Educational Amendments Act of 1972. The Members further requested information about NCAA's response to the disparities reported during this year's tournaments, as well as policies and procedures to prevent, investigate, and respond to reports of unequal treatment in all its programs.³

¹ See, e.g., Ali Kershner (@alikershner), Twitter (Mar. 18, 2021) (online at https://twitter.com/alikershner/status/1372588571689893890?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1372588571689893890%7Ctwgr%5E%7Ctwcon%5Es1_%26ref_url=https%3A%2F%2Fwww.krem.com%2Farticle%2Fsports%2Fncaa%2Fncaa%2Fmarch-madness%2Fviral-tiktok-of-march-madness-weight-rooms%2F293-f8dbd43c-b496-42c6-a5db-3b95ded1e410).

² *Anger Erupts over Disparities at N.C.A.A. Tournaments*, New York Times (Mar. 20, 2021) (online at www.nytimes.com/2021/03/19/sports/ncaabasketball/women-ncaa-tournament-weight-room.html).

³ Letter from Representative Mikie Sherrill et al. to Mark A. Emmert, President, National Collegiate Athletics Association (Mar. 25, 2021) (online at <https://sherrill.house.gov/media/press-releases/representative-sherrill-leads-36-colleagues-letter-demanding-answers-ncaa-women>).

On April 2, 2021, you responded to our earlier letter, stating that NCAA had “begun to immediately address and rectify these issues” and was “eager to aggressively address material and impactful differences” in the treatment of women athletes in its 90 championships. Your response cited an internal NCAA review and stated that NCAA hired a law firm in March 2021 to further evaluate NCAA’s “practices and policies and provide recommendations,” the preliminary assessments of which were anticipated in late April.⁴

While we appreciate your initial steps to address these issues, we remain concerned by persistent gender inequities in NCAA operations. For example, on April 8, 2021, less than one week after your letter touting NCAA’s ongoing gender equity reviews, women’s volleyball players and coaches voiced concerns over the safety of their tournament playing surfaces and the equity of broadcasting arrangements.⁵ Recent reporting also highlighted longstanding disparities in other NCAA events like the Women’s College World Series, which operates on a grueling, compressed schedule and, until recently, failed to provide players with locker rooms or adequate restroom access during play.⁶ These troubling reports suggest that the full extent of the unequal treatment caused by NCAA’s policies and practices still may not be known.

We are also concerned that NCAA’s unequal treatment of women’s sports may impact opportunities to strengthen and grow those sports. Experts contend that media contracts undervalue women’s athletics, and NCAA’s current promotional strategies restrict their market expansion.⁷ Capacity limits at NCAA’s chosen tournament sites limit broader spectator engagement and additional revenue generation.⁸ By failing to invest in and promote women’s athletics programs in the way it does for men, NCAA prevents women’s sports from reaching their full potential.

⁴ Letter from Mark A. Emmert, President, National Collegiate Athletics Association, to Representative Mikie Sherrill et al. (Apr. 2, 2021) (online at [https://oversight.house.gov/sites/democrats.oversight.house.gov/files/04-02-21_United States Congress_Representative Sherrill et al_Emmert.pdf](https://oversight.house.gov/sites/democrats.oversight.house.gov/files/04-02-21_United%20States%20Congress_Representative%20Sherrill%20et%20al_Emmert.pdf)).

⁵ *‘Bush League:’ Criticism of NCAA’s Treatment of Women’s Sports Continues over Volleyball Tournament*, Sports Illustrated (Apr. 8, 2021) (online at www.si.com/college/2021/04/09/ncaa-criticism-continues-over-womens-volleyball-tournament).

⁶ *College Softball Coaches Decry Treatment by NCAA: ‘What’s Lower Than an Afterthought?’*, Washington Post (Apr. 23, 2021) (online at www.washingtonpost.com/sports/2021/04/23/ncaa-softball-college-world-series-disparities/); *Softball Coaches: NCAA Can Do Better with Gender Equality*, Associated Press (June 9, 2021) (online at <https://apnews.com/article/college-sports-basketball-college-basketball-womens-college-basketball-entertainment-e0a4dbc9737b7e7303434ba6abb678bd>).

⁷ See, e.g., *Women’s Sports Can Do at Least One Thing Men’s Can’t, Experts Say: Get Bigger*, Washington Post (Apr. 1, 2021) (online at www.washingtonpost.com/sports/2021/04/01/womens-sports-growth-ratings-business/); *Women’s Sports Gets Down to Business: On Track for Rising Monetization*, Deloitte (Dec. 7, 2020) (online at www2.deloitte.com/xe/en/insights/industry/technology/technology-media-and-telecom-predictions/2021/womens-sports-revenue.html).

⁸ *College Softball Coaches Decry Treatment by NCAA: ‘What’s Lower Than an Afterthought?’*, Washington Post (Apr. 23, 2021) (online at www.washingtonpost.com/sports/2021/04/23/ncaa-softball-college-world-series-disparities/).

As the 2021 NCAA tournament season comes to a close, we request that NCAA provide a briefing by July 21, 2021, on the full scope of gender disparities in NCAA's programs, NCAA's progress in addressing these disparities, and the actions that you will take to eliminate such disparities in the future. The briefing should address any actions taken to address concerns raised by players and coaches both within and outside of the Division I basketball championships. It should also provide an update on the status, scope, and current findings of both the NCAA's internal and external gender equity reviews—including the content of the interim assessments referenced in your April 2, 2021, letter—as well as any steps planned or taken by the NCAA to address those findings.

In addition, we ask that you produce the following documents and information by July 21, 2021:


1. Detailed information about each of NCAA's 2021 tournament sites, including a list of available game and practice facilities and descriptions of the types of playing surfaces for each facility;
2. All documents regarding any requests made, complaints filed, or concerns raised by participating teams regarding the specifications or allotment of the facilities described in Request 1;
3. All final schedules of events at 2021 NCAA tournament sites, denoting the total number of teams competing in each tournament;
4. All documents regarding any requests made, complaints filed, or concerns raised by participating teams regarding the scheduling of events described in Request 3;
5. All budget documents for the 2021 men's and women's tournaments, including those detailing:
 - a. the modes of travel provided to each team and their costs;
 - b. the type and cost of all meals and lodging provided to each team;
 - c. the type and cost of any training facilities or additional resources made available to participating teams;
 - d. the number and cost of all NCAA staffing allocations for each event, including the number and projected costs associated with any on-site first-responder/medical personnel available;
 - e. the specific sources of funding for championship events, including but not limited to any revenues associated with sponsorships, licensing, advertising, and all forms of digital and traditional media contracts; and

- f. other itemized expenses and revenues for tournament promotion and publicity;
6. All tournament manuals, calendars, agendas, or other scheduling materials provided to participating teams from 2016 to present;
7. Capacity limits of all sites used for each round of championship tournaments and the number of tickets sold for each tournament event held from 2016 to present; and
8. All documents relating to any reviews of gender disparities conducted from 2016 to present by NCAA or third-party consultants or firms, the findings from such reviews, and any written responses or actions by NCAA in response, including documents related to the review announced in March 2021.


The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

An attachment to this letter provides additional instructions for responding to the Committee’s request. If you have any questions regarding this request, please contact Oversight Committee Staff at [redacted]. Thank you for your prompt attention to this matter.


Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Jackie Speier
Member of Congress



Mikie Sherrill
Member of Congress

Enclosure

cc: The Honorable James Comer, Ranking Member
Committee on Oversight and Reform