

Congress of the United States
Washington, DC 20515

July 24, 2014

Dr. Mark Emmert
President
National Collegiate Athletic Association
P.O. Box 6222
Indianapolis, IN 46206

Dear Dr. Emmert:

In light of the 9 April 2014 Pennsylvania Commonwealth Court ruling, we are writing to request the National Collegiate Athletic Association (NCAA) rescind the sanctions imposed on The Pennsylvania State University (PSU). Under your leadership, continuing these unprecedented sanctions harms innocent student athletes and further erodes the increasingly specious credibility of the organization.

By limiting scholarships and imposing a financial burden on Penn State, the NCAA has failed to live up to its mission statement.^[1] As noted in the majority opinion written by Judge Anne Covey, “[h]igh school student athletes who had no involvement in the criminal acts were prevented from obtaining a free college education.”^[2] Additionally, the court stated that a fine of at least \$10 million would burden the entire institution, not just the athletic program.^[3] The impact of these sanctions directly contradicts your organization’s supposed goal of promoting education for student athletes.

What’s most troubling about these sanctions is the Consent Decree **confirms** that the NCAA should not have taken action on Jerry Sandusky’s heinous crimes. As noted by the court, “[t]he Consent Decree expressly recognizes the NCAA’s questionable involvement in and its dubious authority pertaining to a criminal action against a non-university official which involved children who were non-university student-athletes.”^[4] Your organization, for the moment, is the sole arbiter of conduct in college athletics. Surely there is enough to be done in reforming the NCAA’s due process standards without injecting the organization into a purely criminal matter.

Further, questioning the validity of the Consent Decree is not “entirely baseless” as stated by your attorneys. While it is true neither Pennsylvania State Senator Jake Corman nor PSU has challenged the validity of the Consent Decree, it is more than likely they have refrained from doing so because the decree represented a false choice between accepting the heavy-handed and unwarranted sanctions, or the death penalty. Swiftly rescinding the remaining sanctions is the proper course of action at this time.

^[1] NCAA: Who We Are, <http://www.ncaa.org/about/who-we-are> (last accessed Apr. 22, 2014).

^[2] *Corman v. Nat’l Collegiate Athletic Ass’n*, ___ A.3d ___ (Pa. Cmwlth, No. 1 M.D. 2013, filed April 9, 2014), slip. op. at 30.

^[3] *Id.* at 11-12.

^[4] *Id.* at 23.

Finally, we request timely answers to the following questions:

1. The students currently affected by the sanctions were high school students at the time of the Consent Decree's enforcement and enrolled at Penn State to seek a quality education. How do you reconcile enforcing these sanctions with the NCAA's mission statement?
2. Your organization admitted in the Consent Decree that it lacked authority to fine Penn State for the criminal activity of a former university employee. How can you continue to insist upon enforcing punitive measures against Penn State?

The continued enforcement of these questionable sanctions only harms innocent student-athletes who had nothing to do with Jerry Sandusky's unspeakable crimes. You have already partially acknowledged your mistake of originally implementing a scholarship ban and rumors abound that a bowl ban reduction may be forthcoming.^[5] We ask again that you immediately restore all previously banned athletic scholarships and rescind the \$60 million fine to stem further damage against students of The Pennsylvania State University.

Sincerely,



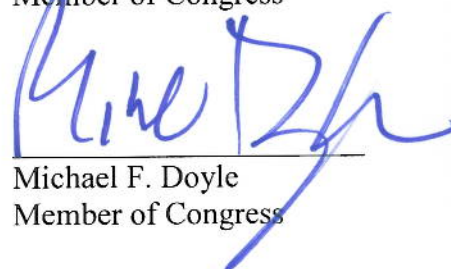
Charles W. Dent
Member of Congress



Glenn 'G.T.' Thompson
Member of Congress



Jim Gerlach
Member of Congress



Michael F. Doyle
Member of Congress



Mike Kelly
Member of Congress

^[5] See Take Two: Franklin's Championship ETA, http://espn.go.com/blog/bigten/post/_id/94114/take-two-franklins-championship-eta (Jan. 16, 2014); see also Bill O'Brien Still Not Happy with Penn State Bowl Ban (Mar. 26, 2014) <http://collegefootballtalk.nbcsports.com/2014/03/26/bill-obrien-still-not-happy-with-penn-state-bowl-ban/>.