

April 29, 2024

Dear Secretary Mayorkas,

We write to request information about the status of the Department of Homeland Security's (DHS) commitments to provide legal clarity for international students participating in collegiate athletics.

Since July 2021, the National Collegiate Athletic Association (NCAA) has maintained a policy to allow college athletes to monetize their name, image, and likeness (NIL), bringing the NCAA into line with laws passed by dozens of states and federal court rulings. These changes recognized that past policies limiting students' economic rights were unnecessary and unfair — hindering students from benefiting from their hard work.

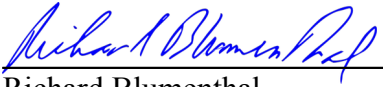
While many students have rightfully benefitted from these new opportunities, international college athletes and college athletic programs face a credible risk that even the most basic NIL deal could violate the work restrictions of the F-1 visa. DHS could clarify that the F-1 visa program does not prevent a student from engaging in NIL related activities, securing college athletes' economic opportunities and easing concerns that students and schools might run afoul of the law. Unfortunately, the tens of thousands of international students competing in NCAA competitions have been deprived of these economic opportunities because of a lack of guidance on, or changes to, the conditions of their student visas by DHS.

Last year, in Senate oversight hearings and in response to a previous letter requesting guidance and rulemaking, you committed to moving as quickly as you can on providing these important protections for foreign college athletes. Unfortunately, despite that commitment to move quickly, DHS still has not updated its rules a year later. As a result, international students have gone another year without legal protections or clarity, leading star athletes to turn down opportunities, go through extreme hoops to stay in good standing with their visas, or consider leaving school.

We request a written update on what steps DHS has taken to follow through on your commitment to protect those international college athletes and schools that seek to benefit from the blood, sweat, and tears they put into their sport.

Thank you for your attention to this important matter.

Sincerely,



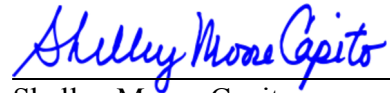
Richard Blumenthal
United States Senator



Christopher S. Murphy
United States Senator



Pete Ricketts
United States Senator



Shelley Moore Capito
United States Senator